

Prison Board, through its General Manager, bidding for contracts to supply the State with printing, binding, and supplies of like character with the Board of Control without a bond, and entering into such contracts with the Board of Control without executing a bond, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, May 17, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 911, A bill to be entitled "An Act defining and providing the powers and duties of the commissioners court in counties having a population of more than three hundred thousand (300,000) and less than three hundred fifty thousand (350,000) inhabitants, according to the last preceding Federal Census, with regard to the laying out, opening, widening, draining, grading, constructing, building, repairing, and maintaining of public roads, bridges, viaducts; providing for the appointment of a county engineer, and prescribing his duties; authorizing the commissioners court to employ special counsel; prescribing the manner in which supplies, materials, and contracts may be purchased or made by the county; fixing the compensation of certain officers and employes, and defining their duties; authorizing and providing for the purchase and condemnation of land, materials, and dirt for the construction and maintenance of public highways, and providing for the appraisement of same; providing for certain duties of the county auditor; abolishing the payment of road taxes by labor, and providing for the use of convicts on public projects; providing for the appointment of a purchasing agent, and prescribing his duties; prohibiting any officer and employe of the county from being interested in any contract involving said county; providing that right of ways belonging to private individuals or corporations shall be ditched, emptied, and drained so as to protect the public highways and giving the commissioners court such authority in regard thereto; prescribing the manner in which bonds may be issued, the

election therefor, and the manner in which same may be paid; prescribing the manner in which bond funds may be expended; providing any moneys collected by virtue of any contract executed under the provisions of this Act shall be applied to the road and bridge fund of the county; prescribing certain duties of the county treasurer; defining 'road' and 'highway' as used herein; providing that the provisions of this Act are cumulative of all other laws other than special laws; declaring this Act to be a public Act; providing that in the event any section, subdivision, paragraph, sentence, or clause of this Act be held unconstitutional, that the remaining portions shall be valid; repealing Chapter 57, of the Special Laws of the Thirty-fourth Legislature, and an Act amendatory thereof, being Chapter 63 of the Special Laws of the Thirty-sixth Legislature, and any and all other laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

SIXTY-SIXTH DAY

(Thursday, May 18, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Crossley.
Alexander.	Daniel.
Alsup.	Davidson.
Anderson	Dean.
of Bexar.	Devall.
Baker.	Dunlap.
Barrett.	Dunagan.
Barron.	Dwyer.
Beck.	Engelhard.
Bedford.	Fain.
Bourne.	Few.
Bradley.	Ford.
Burns.	Fuchs.
Butler.	Glass.
Camp.	Golson.
Canon.	Good.
Cathey.	Goodman.
Caven.	Graves.
Celaya.	Griffith.
Chastain.	Hankamer.
Clayton.	Harman.
Colson.	Harris.
Coombes.	Head.
Cowley.	Hester.

Hicks.	Pavlica.
Hill of Brazoria.	Pope.
Hodges.	Puryear.
Holekamp.	Ramsey.
Holland.	Ratliff.
Hoskins.	Ray.
Huddleston.	Reed of Bowie.
Hughes.	Reed of Dallas.
Hunt.	Renfro.
Hyder.	Roberts.
Jackson.	Rogers of Hunt.
James.	Rogers
Jefferson.	of Ochiltree.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Atascosa.	Russell.
Jones of Runnels.	Savage.
Jones of Shelby.	Scarborough.
Kayton.	Scott.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Smith.
Leonard.	Stanfield.
Lindsey.	Steward.
Lotief.	Stinson.
Mackay.	Stovall.
Magee.	Sullivant.
Mathis.	Tarwater.
McClain.	Tennyson.
McCullough.	Thomas.
McDougald.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Metcalfe.	Van Zandt.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Weinert.
Morse.	Wells.
Munson.	Winningham.
Nicholson.	Wood.
Palmer.	Young.
Parkhouse.	

Absent

Duvall.	Long.
Greathouse.	McGregor.
Harrison.	Patterson.
Hartzog.	Riddle.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Anderson of Johnson for today and the balance of the week, on motion of Mr. James.

Mr. Calvert for today, on motion of Mr. Cowley.

Mr. Holloway and Mr. Latham for today, on motion of Mr. Jackson.

Mr. Haag for today, on motion of Mr. Scott.

Mr. Hill of Webb for today and the balance of the week, on motion of Mr. Walker.

Mr. Adamson was granted leave of absence for today on account of a death in his family, on motion of Mr. Van Zandt.

Mr. Aikin was granted leave of absence for today on account of the illness of his father, on motion of Mr. Canon.

BILL ORDERED PRINTED

On motion of Mr. Ford, Senate Bill No. 508, reported adversely, with a minority favorable report, was ordered printed.

BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Anderson of Bexar moved that House Bill No. 373 be laid on the table subject to call.

The motion prevailed.

NOTICE GIVEN

Mr. Anderson of Bexar gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 373.

SENATE BILL NO. 412 ON SECOND READING

On motion of Mr. Cowley, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 412, A bill to be entitled "An Act amending Article 7076, of the Revised Civil Statutes of Texas, 1925; relating to the recovery of money and penalties due the State of Texas; providing for the venue in such suits; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time.

Mr. Barron offered the following amendment to the bill:

Amend Senate Bill No. 412 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That Article 7076, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7076. The penalties provided for by this Chapter shall be recovered by the Attorney General in a suit brought by him in the name of the State of Texas; and it is further provided that should any taxes or penalties provided for by this Chapter be found to be delinquent for a period of two years or more, the State Tax Board, consisting of the Comptroller of Public Accounts, the Secretary of State, and the State Tax Commissioner, shall be authorized to bring suit for the recovery of same in the name of the State of Texas. The State Tax Commissioner is hereby authorized to appoint and employ attorneys, investigators, auditors, and/or other assistants as may be necessary to carry out the provisions of this Act on a contingent fee basis or otherwise, as said State Tax Commissioner may deem advisable; provided further, that in no event shall said State Tax Board or the State Tax Commissioner make any contract of employment for the collection of delinquent taxes on a contingent fee basis until a majority of the members of the State Tax Board have decided, in each instance, that such procedure is advisable, and that such taxes can be collected more advantageously in such manner than under any provision of existing law, or as may be otherwise provided in this Act, and provided the contingent fee permissible hereunder, shall, in no event, exceed twenty-five per cent (25%) of the total delinquent taxes and/or fees actually recovered or collected; provided further, that five per cent (5%) of all such taxes and fees collected under the provisions of this Act, during any calendar year, by the State Tax Board may be retained and used by the State Tax Commissioner for the purpose of paying salaries of employees, necessary

traveling expenses, and other necessary expenses incurred by the State Tax Board, including clerical and stenographic services, in the proper administration of the provisions hereof, as well as all other duties which are now or may be imposed upon said Board. The State Tax Commissioner is further authorized to request and receive the assistance of the Attorney General and the heads and employes of all other departments of the State Government to aid in the speedy recovery of such money or penalties due the State under the terms of this Chapter; and venue and jurisdiction of such suits is hereby conferred upon the courts of Travis County. It is further provided, that for the purpose of carrying out the terms of this Act, said State Tax Commissioner and said State Tax Board shall have the authority to examine at the principal or any other office in the United States of any person, firm, agent, or corporation permitted to do business in this State, all books, records, and papers, and also any officers or employes thereof, under oath, and failure or refusal of any person, firm, agent, or corporation to permit such examination shall, upon certification of such refusal by the State Tax Commissioner to the Secretary of State, immediately forfeit the charter or permit to do business in this State until such examination as is required to be made is completed. The State Tax Board or any authorized agent thereof shall not make public or use said information derived in the course of said examination of said books, records, and papers, and/or officers or employes except for the purpose of some judicial proceeding for the collection of delinquent taxes in which the State of Texas is a party."

"Sec. 2. It is further specifically provided that all of the provisions of this Act shall apply and be applicable to all delinquent taxes due and owing to the State of Texas, of every kind and character whatsoever, including all franchise, occupation, gross receipts, gross production, gross premiums tax on insurance companies, inheritance, gasoline, excise, and all other State taxes which have been delinquent for two years or more, other than State ad valorem taxes on property. It is hereby declared to be one of the purposes hereof to impose upon

the State Tax Board the additional duty of collecting and aiding in the collection of all delinquent taxes enumerated and referred to herein, and all laws now applicable to the collection of such delinquent taxes, and all powers and authority now possessed by existing officers and agencies of the State Government are hereby, in addition, conferred upon said State Tax Board, as far as the same may be applicable, but this provision shall not in any manner lessen, transfer, interfere with or impair the rights or duties of existing agencies of government to collect delinquent taxes; provided further, that said State Tax Commissioner shall, after the passage hereof, be the chief administrative officer of this Act, and said State Tax Commissioner shall have full and exclusive power and authority to employ such counsel and clerical personnel as may be necessary for the proper and efficient prosecution of delinquent tax suits, and all actions which may arise hereunder, which shall be in addition to such assistance as may be required by the State Tax Board or the State Tax Commissioner from the Attorney General of Texas.

"Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 4. In the event any word, sentence, paragraph, part, or portion of this Act should, for any reason, be held unconstitutional, such decision shall not affect any remaining part or parts hereof.

"Sec. 5. The fact that there is no adequate provision of law to carry out in full the purposes of this Act, and the further fact that the State of Texas is losing many millions of dollars annually by reason of non-collection of delinquent taxes, together with the fact that there is no existing State agency sufficiently removed from local politics to satisfactorily enforce existing tax laws, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be, and the same is hereby, suspended, and this Act shall be in force from and after its passage, and it is so enacted."

BARRON,
COWLEY,
CALVERT,
WEINERT.

On motion of Mr. Burns, further consideration of the bill was postponed until 4 o'clock p. m., today.

CONFERENCE COMMITTEE ON SENATE BILL NO. 472

On motion of Mr. Harman, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 472.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on Senate Bill No. 472: Messrs. Harman, Dunlap, Harrison, Scott, and Good.

CONFERENCE COMMITTEE ON SENATE BILL NO. 551

On motion of Mr. Parkhouse, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 551.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Engelhard, Hodges, Moore, Palmer, and Parkhouse.

SENATE BILL NO. 468 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 468, A bill to be entitled "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, the sum of five hundred and sixty-six dollars and sixty-five cents (\$566.65), not otherwise appropriated, to cover rental for vault space in the Austin National Bank, of Austin, Texas, from March 9, 1933, to August 31, 1933; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—93

Alexander.	Clayton.
Alsup.	Coombes.
Barrett.	Crossley.
Beck.	Daniel.
Bedford.	Davidson.
Bourne.	Engelhard.
Bradley.	Ford.
Burns.	Fuchs.
Butler.	Glass.
Canon.	Good.
Cathey.	Graves.
Caven.	Greathouse.
Chastain.	Griffith.

Hankamer.	Munson.
Harman.	Nicholson.
Harris.	Palmer.
Hartzog.	Patterson.
Head.	Pavlica.
Hester.	Ramsey.
Hill of Brazoria.	Ratliff.
Hodges.	Reed of Dallas.
Holekamp.	Renfro.
Hoskins.	Roberts.
Hughes.	Rogers
Hunt.	of Ochiltree.
Hyder.	Rollins.
Jackson.	Ross.
James.	Russell.
Jefferson.	Scarborough.
Johnson	Scott.
of Anderson.	Shannon.
Jones of Atascosa.	Shults.
Jones of Runnels.	Smith.
Kayton.	Stanfield.
Kyle of Palo Pinto.	Steward.
Leonard.	Stinson.
Long.	Stovall.
Lotief.	Sullivant.
Mackay.	Tennyson.
Magee.	Townsend.
Mathis.	Turlington.
McCullough.	Van Zandt.
McDougald.	Wagstaff.
McGregor.	Walker.
McKee.	Wells.
Mitcham.	Wood.
Morrison.	Young.
Morse.	

Nays—18

Anderson	Lindsey.
of Bexar.	McClain.
Baker.	Merritt.
Camp.	Pope.
Dean.	Puryear.
Devall.	Reed of Bowie.
Fain.	Tillery.
Few.	Vaughan.
Hicks.	Winningham.
Huddleston.	

Absent

Anderson	Jones of Shelby.
of Johnson.	Kyle of Hays.
Barron.	Laird.
Celaya.	Metcalfe.
Colson.	Moffett.
Cowley.	Moore.
Dunlap.	Parkhouse.
Dunagan.	Ray.
Duvall.	Riddle.
Dwyer.	Rogers of Hunt.
Golson.	Savage.
Goodman.	Tarwater.
Harrison.	Thomas.
Holland.	Weinert.

Absent—Excused

Adamson.	Aikin.
----------	--------

Calvert.	Johnson
Fisher.	of Dimmit.
Haag.	Latham.
Hill of Webb.	Lemens.
Holloway.	Reader.

SENATE BILL NO. 100 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 100, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State Government for the fiscal years ending August 31, 1928, 1929, 1930, and 1931, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 100, page 1, line 39, by striking out the figures "\$824.50," and insert in lieu thereof the figures "\$856.20."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 100, Section 1, page 3, by inserting between the lines 1 and 2, the following: "To pay blanket warrants, issued to court reporters, in cases where paupers' oaths were filed, and where an appeal was prosecuted, and the district judge ordered a transcript made as provided in Article 760, Code of Criminal Procedure, 1925, \$765.17."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 100, Section 1, page 3, by inserting between lines 5 and 6, the following: "To pay expense account for the month of August, 1931, incurred by deputy supervisors in Oil and Gas Division of the Railroad Commission, \$746.89."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 100, page 3, line 7, by striking out the figures "\$210,185.90," and insert in lieu thereof the following: "\$211,729.60."

The amendment was adopted.

Senate Bill No. 100 was then passed to third reading.

SENATE BILL NO. 100 ON THIRD
READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Leonard.
of Bexar.	Lindsey.
Baker.	Lotief.
Bedford.	Mackay.
Bourne.	Magee.
Bradley.	Mathis.
Burns.	McClain.
Butler.	McCullough.
Camp.	McDougald.
Canon.	Merritt.
Caven.	Mitcham.
Chastain.	Moffett.
Clayton.	Morse.
Coombes.	Munson.
Cowley.	Palmer.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Pavlica.
Few.	Puryear.
Ford.	Ramsey.
Fuchs.	Ratliff.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Roberts.
Graves.	Rogers of Hunt.
Greathouse.	Rollins.
Griffith.	Ross.
Hankamer.	Russell.
Harman.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Hoskins.	Sullivant.
Hughes.	Tennyson.
Hunt.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Wagstaff.
Jefferson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Wells.
Jones of Shelby.	Wood.
Kayton.	Young.
Kyle of Hays.	

Nays—2

Fain. Vaughan.

Absent

Anderson	Johnson
of Johnson.	of Anderson.
Barrett.	Long.
Barron.	McGregor.
Beck.	McKee.
Cathey.	Metcalfe.
Celaya.	Moore.
Colson.	Morrison.
Crossley.	Nicholson.
Daniel.	Pope.
Dunlap.	Ray.
Dunagan.	Riddle.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Engelhard.	Savage.
Harrison.	Tarwater.
Holland.	Thomas.
Huddleston.	Tillery.
	Winningham.

Absent—Excused

Adamson.	Holloway.
Aikin.	Johnson
Calvert.	of Dimmit.
Fisher.	Latham.
Haag.	Lemens.
Hill of Webb.	Reader.

The Speaker then laid Senate Bill No. 100 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103

Alexander.	Goodman.
Alsup.	Graves.
Anderson	Greathouse.
of Bexar.	Griffith.
Baker.	Hankamer.
Beck.	Harman.
Bedford.	Harris.
Bourne.	Hartzog.
Bradley.	Head.
Burns.	Hester.
Butler.	Hicks.
Camp.	Hill of Brazoria.
Canon.	Hodges.
Caven.	Holekamp.
Chastain.	Hoskins.
Clayton.	Huddleston.
Colson.	Hughes.
Coombes.	Hunt.
Cowley.	Hyder.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Few.	Johnson
Ford.	of Anderson.
Fuchs.	Jones of Runnels.
Glass.	Kayton.
Golson.	Kyle of Hays.
Good.	Laird.

Leonard.	Rollins.
Lindsey.	Ross.
Lotief.	Russell.
Mackay.	Scarborough.
Magee.	Scott.
Mathis.	Shannon.
McClain.	Shults.
McCullough.	Smith.
McDougald.	Stanfield.
Mitcham.	Stinson.
Moffett.	Stovall.
Morse.	Sullivant.
Munson.	Tarwater.
Palmer.	Thomas.
Parkhouse.	Tillery.
Patterson.	Townsend.
Pope.	Turlington.
Ramsey.	Van Zandt.
Ratliff.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Wells.
Roberts.	Wood.
Rogers of Hunt.	Young.
Rogers of Ochiltree.	

Nays—4

Devall.	Puryear.
Fain.	Vaughan.

Absent

Anderson of Johnson.	Kyle of Palo Pinto.
Barrett.	Long.
Barron.	McGregor.
Cathey.	McKee.
Celaya.	Merritt.
Crossley.	Metcalfe.
Dunlap.	Moore.
Dunagan.	Morrison.
Duvall.	Nicholson.
Dwyer.	Pavlica.
Engelhard.	Ray.
Harrison.	Riddle.
Holland.	Savage.
Jones of Atascosa.	Steward.
Jones of Shelby.	Tennyson.
	Winningham.

Absent—Excused

Adamson.	Holloway.
Aikin.	Johnson
Calvert.	of Dimmit.
Fisher.	Latham.
Haag.	Lemens.
Hill of Webb.	Reader.

SENATE BILL NO. 242 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 242, A bill to be entitled
"An Act to provide an emergency

appropriation of one million five hundred and eighty-two thousand, eight hundred and ninety-one dollars (\$1,582,891), or as much thereof as may be necessary, to be used for the payment of salary aid, high school per capita aid, industrial aid, tax supplementary aid, high school tuition aid, transportation aid, consolidation bonus; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Jones of Runnels offered the following amendment to the bill:

Amend Senate Bill No. 242, page 7, line 36, by changing the figures "185" to "135," and by changing the total figures of "216" to "766."

JONES of Runnels,
LINDSEY.

The amendment was adopted.

Mr. Jones of Runnels offered the following amendment to the bill:

Amend Senate Bill No. 242, page 2, line 5, by changing the figures "\$410,617" to "\$411,167."

JONES of Runnels,
LINDSEY.

The amendment was adopted.

Mr. McDougald offered the following amendment to the bill:

Amend Senate Bill No. 242, page 3, line 28, by striking out the figures "1,255," and inserting in lieu thereof the figures "1,705," and changing the total in the same line to read "3,167."

The amendment was adopted.

Senate Bill No. 242 was then passed to third reading.

SENATE BILL NO. 242 ON THIRD
READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Alexander.	Beck.
Alsup.	Bedford.
Baker.	Bourne.
Barrett.	Bradley.
Barron.	Burns.

Butler.	Lindsey.
Camp.	Lotief.
Canon.	Mackay.
Cathey.	Magee.
Caven.	Mathis.
Celaya.	McCullough.
Chastain.	McDougald.
Clayton.	Merritt.
Coombes.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Devall.	Morrison.
Dunlap.	Morse.
Dunagan.	Nicholson.
Dwyer.	Palmer.
Engelhard.	Pavlica.
Fain.	Puryear.
Few.	Ramsey.
Glass.	Ratliff.
Golson.	Ray.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Roberts.
Harman.	Rogers of Hunt.
Harris.	Rollins.
Harrison.	Ross.
Hartzog.	Russell.
Head.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hodges.	Shults.
Holekamp.	Smith.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Turlington.
Jefferson.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.
Laird.	Young.
Leonard.	

Nays—9

Anderson	Kyle of Hays.
of Bexar.	Stanfield.
Colson.	Stovall.
Goodman.	Townsend.
Kayton.	Vaughan.

Absent

Davidson.	Kyle of Palo Pinto.
Dean.	Long.
Duwall.	McClain.
Ford.	McGregor.
Fuchs.	McKee.
Good.	Munson.
Hester.	Parkhouse.

Patterson.	Rogers
Pope.	of Ochiltree.
Riddle.	Savage.
	Wells.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 242 before the House on its third reading and final passage.

The bill was read third time.

Senate Bill No. 242 was then passed by the following vote:

Yeas—104

Alexander.	James.
Alsup.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Bedford.	Jones of Runnels.
Bourne.	Jones of Shelby.
Burns.	Kyle of Palo Pinto.
Canon.	Laird.
Cathey.	Leonard.
Caven.	Lindsey.
Colson.	Long.
Cowley.	Mackay.
Crossley.	Magee.
Daniel.	Mathis.
Davidson.	McClain.
Dunlap.	McCullough.
Dunagan.	McDougald.
Dwyer.	McKee.
Engelhard.	Merritt.
Fain.	Metcalfe.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Harman.	Patterson.
Harris.	Pavlica.
Harrison.	Puryear.
Hartzog.	Ramsey.
Head.	Ratliff.
Hester.	Ray.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hodges.	Renfro.
Holland.	Roberts.
Hoskins.	Rogers of Hunt.
Huddleston.	Rogers
Hughes.	of Ochiltree.
Hunt.	Rollins.
Hyder.	Ross.
Jackson.	Russell.

Savage.	Tarwater.
Scarborough.	Tennyson.
Scott.	Tillery.
Shannon.	Turlington.
Shults.	Van Zandt.
Smith.	Wagstaff.
Steward.	Walker.
Stinson.	Winningham.
Stovall.	Wood.
Sullivan.	Young.

Nays—15

Anderson	Kayton.
of Bexar.	Lotief.
Baker.	Pope.
Coombes.	Stanfield.
Devall.	Thomas.
Goodman.	Townsend.
Graves.	Vaughan.
Holekamp.	Weinert.

Present—Not Voting

Kyle of Hays.

Absent

Barron.	Good.
Bradley.	Greathouse.
Butler.	Hankamer.
Camp.	Jefferson.
Celaya.	McGregor.
Chastain.	Palmer.
Clayton.	Parkhouse.
Dean.	Riddle.
Duvall.	Wells.

Absent—Excused

Adamson.	Holloway.
Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Latham.
Calvert.	Lemens.
Fisher.	Reader.
Hill of Webb.	

PAIRED

Mr. Kyle of Hays (present), who would vote "nay," with Mr. Anderson of Johnson (absent), who would vote "yea."

REASON FOR VOTE

I voted "no" on final passage of Senate Bill No. 242 for the reasons: first, I seriously doubt the legality of the acts of the State Board of Education in creating this deficit, and I do not believe they were authorized by law to do so; second, there is no money on hand with which to pay this claim, and probably there will not be for an indefinite period. I am aware that this matter has worked a great hardship on many school districts in the State, and I shall hope that the De-

pression under which we are now laboring may soon terminate, and that some future Legislature may be able to provide proper relief for those entitled to same.

GOODMAN.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 54, Granting permission to J. H. Reagan to bring suit against the State.

S. C. R. No. 69, Granting Judge Few Brewster permission to be absent from the State during court recess.

The Senate has passed

S. B. No. 564, A bill to be entitled "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, and as amended by House Bill No. 799, Acts of the Forty-third Legislature, so as to require all indebtedness against a courthouse or courthouses shall be paid in full before the county seat of any county can be moved from its present location; providing that this shall not apply to counties having a population of not less than seventeen thousand one hundred (17,100) and not more than seventeen thousand five hundred (17,500), according to the last preceding United States Census; and declaring an emergency."

The Senate has passed

S. B. No. 414, A bill to be entitled "An Act to specifically repeal so much of Article 6562, Chapter 1, Title 113, of the Revised Statutes of the State of Texas of 1925, as does or may authorize the payment of longevity pay to the ranger force."

S. B. No. 479, A bill to be entitled "An Act transferring the unexpended and unappropriated balances in certain funds in the State Treasury to the General Revenue Fund at the beginning of the biennium ending August 31, 1935, and declaring an emergency."

S. B. No. 478, A bill to be entitled "An Act to amend Articles 1670 and 1673, of the Revised Civil Statutes of the State of Texas, 1925, which Articles relate to the prescription of a system and the forms to be used for receipts and disbursements of navigation districts, and the method of appointment and payment of assistants to the county auditor in counties of more than 330,000 population, having a navigation district or other improvement districts, in cases in which said assistants are required for services in auditing the accounts of such districts; and declaring an emergency."

S. B. No. 542, A bill to be entitled "An Act providing for the formation of a county-wide common school district in Kinney County on a majority vote of the qualified voters of said County; for the abolition of existing school districts therein; for the election of trustees of said county-wide district; authorizing the levy, assessment, and collection of taxes, and elections therefor; prescribing powers and duties of such trustees; enacting other incidental provisions; and declaring an emergency."

S. B. No. 546, A bill to be entitled "An Act creating and validating Cameron County Water Control and Improvement District No. 19, in Cameron County, Texas, under the provisions of Section 59, of Article XVI, of the Constitution of Texas, for the purposes of the control, storing, preservation, and distribution of its waters and flood waters; etc.; and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

(Mr. Wells in the Chair.)

PRESENTATIONS TO THE SPEAKER

In accordance with a motion heretofore adopted, setting apart the hour of 11 o'clock a. m., today, for the purpose of making certain presentations to the Speaker, Mr. Wells, who was in the Chair, stated that the hour for the presentations had arrived, and presented to Mr. Long, who, on behalf of the Oil, Gas, and Mining Committee, presented Speaker Stevenson with an axe and pipe.

Charles Scott, on behalf of the committee clerks of the House, presented Speaker Stevenson with a lounging chair.

Mr. Engelhard, on behalf of the porters, presented Mr. and Mrs. Stevenson with a set of china.

Mr. Kayton, on behalf of the pages of the House, presented Speaker Stevenson with a desk lamp.

Mr. Hyder, on behalf of the engrossing and enrolling departments, presented Speaker Stevenson with a library chair.

Mrs. Norine Crosby, on behalf of the stenographers of the House, presented Mr. and Mrs. Stevenson with a sterling silver service set.

Mr. Head, on behalf of the elected officers of the House and assistants, presented Mr. and Mrs. Stevenson with a library table and lamp.

Mr. Coombes, on behalf of the employes of the Speaker's office, presented Speaker Stevenson with a footstool.

Mr. Wells presented Mr. McGregor, who in turn introduced Hon. Lee Satterwhite.

Mr. Satterwhite, on behalf of the Members of the House, presented Speaker Stevenson with saddle and accouterments.

PRESENTATION TO SERGEANT- AT-ARMS

Mr. Camp introduced Mundell Rogers, who, on behalf of the pages of the House, presented Sergeant-at-Arms Joe White with a Gladstone bag.

RECESS

On motion of Mr. Kayton, the House, at 12:20 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

(Mr. Engelhard in the Chair.)

PRESENTATION TO SERGEANT- AT-ARMS

Mr. Engelhard, on behalf of the porters of the House, presented Joe White, Sergeant-at-Arms of the House, with a watch.

CONFERENCE COMMITTEE RE- PORT ON SENATE BILL NO. 262

Mr. Leonard submitted the following conference committee report on Senate Bill No. 262:

Committee Room,
Austin, Texas, May 16, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses in respect to Senate Bill No. 262, have duly adjusted the differences between the two Houses, and beg to report it back to the respective Houses with the recommendation that the attached bill be adopted in lieu of the bill as finally passed:

"S. B. No. 262,

A BILL

To Be Entitled

An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before February 1, 1933, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State, provided, same are paid on or before September 30, 1933, with an addition of 1 per cent on said taxes; provided, said taxes are paid after September 30, 1933, and on or before December 31, 1933, with an addition of 2 per cent on said taxes; and provided, said taxes are paid after December 31, 1933, and on or before March 31, 1934, with an addition of 4 per cent on said taxes; and provided, that said taxes are paid after March 31, 1934, and on or before June 30, 1934, with an addition of .6 per cent on said taxes; and providing further, that this Act releasing penalties and interest shall not apply to cities, towns, and villages, and special school districts, and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof; and

such governing body has adopted a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, shall have the authority to put in force and effect the provisions hereof as to any such city, town, or village, or special school district, or independent school district; and for the purpose, in Section 2, of this Act, of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before February 1, 1933, due any city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined self-governing subdivisions of the State, except counties, providing said taxes are paid on or before September 30, 1933, with an addition of 1 per cent on said taxes; or that in the event any person, firm, association of persons, or corporation shall not be financially able to pay all delinquent taxes owed by such person, firm, association of persons, or corporation on or before September 30, 1933, and shall, in that event, on or before such date, appear before the public official charged with the duty of collecting said taxes and make sworn affidavit of such financial inability to pay all of said taxes, and in the event of the presentation of such affidavit with a sum equal to 20 per cent of all such delinquent ad valorem and poll taxes owed by said person, firm, association of persons, or corporation, the public official charged with the duty of collecting such taxes shall be empowered to accept such 20 per cent and credit the amount to the payment of taxes first delinquent; and the payer of such 20 per cent within such time, shall be allowed to make second payment of 20 per cent on or before June 30, 1934, and third payment of like amount on or before December 31, 1934, and the fourth payment of like amount on or before June 30, 1935, and the fifth payment on or before December 31, 1935; that each installment provided for shall bear interest at the rate of 6 per cent from September 30, 1933, to be paid with each installment; that the failure

to pay any one of the installments provided for, shall immediately cause the delinquent ad valorem and poll taxes on which penalties and interest are released, to be subject to the general laws of this State governing the collection of delinquent taxes; that the provisions of this Section (Section 2), of this Act, shall not apply to any city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, or other defined self-governing subdivision of the State, except counties, until the governing body of any such city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, or other defined self-governing subdivision of the State, except counties, finds that unusual and excessive default in the payment of ad valorem and poll taxes has occurred, and an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof; and such governing body shall adopt a resolution or ordinance evidencing such findings of fact; providing for the release of cost under certain circumstances; providing, that any one desiring to pay at one time, all delinquent taxes for any one year on the same property, may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing, that any section, clause, sentence, paragraph, or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of the Act; stating the policy of the Legislature; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before February 1, 1933, due the State, any county, com-

mon school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages, and special school districts and independent school districts), shall be and the same are hereby released, provided, said ad valorem and poll taxes are paid on or before September 30, 1933, with an addition of one per cent penalty on said taxes; and shall be and the same are hereby released, provided said ad valorem and poll taxes are paid after September 30, 1933, and on or before December 31, 1933, with an addition of two per cent penalty on said taxes; and shall be and the same are hereby released, provided said ad valorem and poll taxes are paid after December 31, 1933, and on or before March 31, 1934, with an addition of four per cent penalty on said taxes, and shall be and the same are hereby released, provided said ad valorem and poll taxes are paid after March 31, 1934, and on or before June 30, 1934, with an addition of six per cent penalty on said taxes; provided that the penalties prescribed herein shall not be cumulative. It is provided that the provisions hereof shall not apply to cities, towns, and villages, and special school districts, and independent school districts unless and until the governing body of any such city, town, or village, or special school district, or independent school district finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such city, town, or village, or special school district, or independent school district. It is hereby expressly and specifically provided that penalties and interest herein released are released only on delinquent ad valorem and poll taxes and on no other taxes.

Sec. 2. And in the alternative and in the event taxes are not paid as provided in Section 1 hereof, they may be paid in the manner set forth in this Section by parties delinquent to the subdivisions enumerated in this Section. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before February 1, 1933, due any city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined self-governing subdivisions of the State, except counties, shall be, and the same are hereby, subject to the provisions hereinafter contained, released, provided, said ad valorem and poll taxes are paid on or before September 30, 1933, with an addition of one per cent penalty on said taxes; or, in the event any person, firm, association of persons, or corporation shall not be financially able to pay all delinquent taxes owed by such person, firm, association of persons, or corporation on or before the due date of September 30, 1933, then, in that event, such person, firm, association of persons, or corporation may, on or before September 30, 1933, appear before the public official charged with the duty of collecting said taxes and make sworn affidavit of such financial inability to pay all of said taxes. And in the event of such presentation of affidavit such person, firm, association of persons, or corporation shall accompany the affidavit with a sum equal to twenty per cent (20%) of all such delinquent ad valorem and poll taxes owed by said person, firm, association of persons, or corporation, and the public official charged with the duty of collecting said delinquent ad valorem and poll taxes shall and is hereby empowered to accept such twenty per cent (20%) and shall credit the amount toward the payment of those taxes which were first delinquent. The person, firm, association of persons, or corporation making such twenty per cent (20%) payment on or before September 30, 1933, shall be allowed to make the second payment of twenty per cent (20%) on or before June 30, 1934, the third payment of like amount on or before December 31, 1934, and the fourth payment of like amount on or before June 30, 1935, and the fifth and last payment of the balance due on or before

December 31, 1935, each of which payments shall be accepted by the public official charged with the duty of collecting said taxes, and shall be credited by him toward the payment of said taxes first delinquent and remaining unpaid. Each installment herein provided for shall bear interest at the rate of 6 per cent from September 30, 1933, said interest to be paid with each installment. The failure to pay any one of the installments herein provided for shall immediately cause the delinquent ad valorem and poll taxes on which the penalties and interest are hereby released, to be subject to the general laws of this State governing the collection of delinquent taxes. It is specifically provided herein that the provisions of this Section shall not apply to any city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined self-governing subdivisions of the State, except counties, unless and until the governing body of any such city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined self-governing subdivision of the State, except counties, finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, and that an extension of such time in conformity with the provisions of this Section will promote and accelerate the collection thereof, whereupon such governing board shall adopt a resolution or ordinance evidencing such findings, and upon the recording of such findings of fact the provisions of this Act shall be in full force and effect as to any such city, town, village, special school district, independent school district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined self-governing subdivisions of the State, except counties.

Sec. 3. That all costs of every kind and character that have accrued or attached, or that may hereafter accrue or attach to or by reason of delinquent poll or ad valorem taxes on

which said poll or ad valorem tax the interest and penalties have been released by any of the provisions of this Act, shall be, and the same are hereby, released and no such costs shall hereafter be charged, collected, or accounted for; provided, however, that any costs that are now due and payable to any officer or official shall remain a valid obligation, notwithstanding the provision hereof.

Sec. 4. Any one desiring to pay at one time all the delinquent taxes for any one year shall have the right to pay the same under the provisions of this bill without at the same time paying any other taxes that may be then delinquent upon the same property.

Sec. 5. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act.

Sec. 6. It is provided further that in case any section, clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

Sec. 7. This bill is enacted into a law because of the dire need of school districts and other subdivisions for funds from delinquent taxes to continue to function, and for the further purpose of giving the distressed taxpayers an opportunity to pay their taxes without the burden of the penalties and interest that have accrued. But it shall not be understood from the enactment of this law that it is the policy of the Legislature to continue to remit penalty and interest. The Forty-third Legislature here declares that a continuation of the policy of remitting penalty and interest on delinquent taxes would be detrimental to the best interest of this State and would, if continued, lead to still greater delinquencies in tax payments than has ever been in the history of this State.

Sec. 8. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past by

people who would meet their obligations to the State Government if the heavy costs and penalties and interest were omitted, creates an emergency and an imperative public necessity demanding that the constitutional rule, which requires all bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted.

Respectfully submitted,

ONEAL,
COLLIE,
POAGE,
REGAN,
DUGGAN,

On the part of the Senate;

LEONARD,
JONES of Atascosa,
MOFFETT,
METCALFE,

On the part of the House.

Mr. Leonard moved that further consideration of the report be postponed until 11 o'clock a. m., next Monday.

The motion prevailed.

The following statement by Mr. Pope was ordered printed in the Journal:

Committee Room,
Austin, Texas, May 16, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, a minority of your conference committee, appointed to consider

S. B. No. 262, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all State, county, special school district, road district, levee improvement district, and irrigation district taxes, and taxes of other defined subdivisions of the State, other than incorporated cities and towns; providing said taxes are paid on or before June 30, 1933; suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and recommend back to the Senate and the House that the same do not pass, but that the attached bill be passed:

Respectfully submitted,
POPE.

"S. B. No. 262,

A BILL

To Be Entitled

An Act for the purpose of releasing the interest and penalties on all ad valorem and poll taxes delinquent on February 1, 1933, due State, county, common school districts, road districts, levee improvement districts, water improvement districts, and water control and improvement districts, irrigation districts and other defined subdivisions of the State, other than incorporated cities, towns, and villages; providing said taxes are paid on or before December 31, 1933; providing a means for cities, towns, and villages to release such penalties and interest; providing for partial payments; providing for application of payments; providing for the dismissal of suits and the adjudication of costs; providing for adjustments and corrections of delinquent bond tax and flat tax charges; providing for forms and instructions; suspending all laws and parts of laws in conflict herewith; providing for the elimination of invalid clauses; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before February 1, 1933, due the State, any county, common school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be and the same are hereby released, provided, said ad valorem and poll taxes are paid on or before December 31, 1933; if said delinquent taxes are not paid in full on or before December 31, 1933, same may be paid thereafter without the payment of penalties or interest, provided such person, firm, or corporation due such delinquent taxes may, on or before December 31, 1933, make sworn affidavit of financial inability to pay all of said

delinquent taxes, and accompany the affidavit with a payment equal to the amount which such person, firm, or corporation is able to pay, provided such sum be not less than twenty per cent (20%) of all such delinquent ad valorem and poll taxes owed by said person, firm, or corporation. The person, firm, or corporation making such first payment of not less than twenty per cent (20%) of the total amount of taxes due on or before December 31, 1933, shall be allowed to make another payment of not less than twenty per cent (20%) of the total amount on or before June 30, 1934, and a third payment of not less than twenty per cent (20%) of the total amount on or before December 31, 1934, and a fourth payment of not less than twenty per cent (20%) of the total amount on or before June 30, 1935, and the fifth and last payment of the balance due on or before December 31, 1935; said payments shall be accepted by the official charged with the duty of collecting said taxes and credited by him in the order of payment on the taxes first delinquent. The failure to timely pay one or more of the installments herein provided for shall immediately mature all unpaid installments and the amount thereof unpaid shall again have affixed proportionately thereto the penalties and interest released by virtue hereof and the collection of such unpaid amount shall be governed by the general laws of this State. The provisions hereof shall not apply to cities, towns, and villages, unless and until the governing body of any such city, town, or village, finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such city, town, or village. The penalties and interest herein released are released only on delinquent ad valorem and poll taxes.

Sec. 2. Anyone desiring to pay the delinquent taxes for any one year shall have the right to pay the same under the first alternative of this

bill without at the same time paying any other taxes that may be then delinquent upon the same property.

Sec. 3. In all cases where suits for the collection of delinquent taxes have been heretofore filed, or which may be hereafter filed and pending, on the docket of any district court of this State, and the court shall dismiss same, no costs of court nor any fees arising out of or incident to said suit shall be adjudged against any defendant or any property involved in such suit.

Sec. 4. Governing boards of water improvement districts, water control and improvement districts and irrigation districts are hereby empowered to make adjustments or corrections of delinquent bond tax and/or flat rate charges, provided that such adjustments or corrections may result in the uniform payment of such bond tax and/or flat rate charges on or before December 31, 1934, or in installments as provided in Section 1 hereof.

Sec. 5. Immediately upon the taking effect of this Act, the State Comptroller shall prepare forms and instructions for the various tax collectors of this State, looking to the efficient and uniform enforcement of this Act, and shall forward a copy of such forms and instructions to each tax collector in this State within ten (10) days after the taking effect of this Act; and every tax collector in this State shall use said forms in compliance with said rules and regulations of the State Comptroller.

Sec. 6. All laws and parts of laws in conflict herewith are expressly suspended during the term of this Act so far as they may effect this Act.

Sec. 7. In case any part of this Act shall be adjudged by any court of final jurisdiction to be invalid, such invalid part shall not invalidate the valid parts of this Act.

Sec. 8. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past by people who would meet such obligations if the heavy costs and penalties and interest be omitted, and the clogged condition of the calendar creates an emergency and an imperative public necessity demanding that the constitutional rule, which requires

that all bills be read on three several days in each House, be suspended, and said rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted.

SENATE BILL NO. 247 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 247, A bill to be entitled "An Act creating a physical restoration service for crippled children in the Vocational Rehabilitation Division of the State Department of Education; providing for the powers and duties of said service; granting unto said service power to establish diagnostic clinics and to designate hospitals for the care, treatment, and hospitalization of crippled children; and to pay the costs thereof in cases of indigent children; designating the county judge as the agency to determine and certify who are indigent children, and to make the necessary appropriation for carrying out the provisions of this Act; and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendments to the bill:

(1)

Amend Senate Bill No. 247, Section 3, by adding between the words "No compensation shall be paid" and the words "to any physician," the words "out of State appropriations."

(2)

Amend Senate Bill No. 247 by striking out, in Section 6, the words "purposes other than the direct care of crippled children," and insert in lieu thereof the following: "office supplies and equipment."

(3)

Amend Senate Bill No. 247 by striking out, in Section 3, the following: "meet the standards as set by the American College of Surgeons or the American Hospital Association for fully approved standardized hospitals," and insert in lieu thereof the following: "be approved by the State Board of Control."

The amendments were severally adopted.

Senate Bill No. 247 was then passed to third reading.

SENATE BILL NO. 288 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 288, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the sum of twelve thousand eight hundred and ninety-six dollars and eleven cents (\$12,896.11), not otherwise appropriated, to cover taxes due by the State of Texas to Brazoria County, covering the years 1929 to 1932, inclusive; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 289 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 289, A bill to be entitled "An Act making appropriations out of the Sand, Shell, and Gravel Fund of this State, to pay certain refunds of the tax collected by the Game, Fish, and Oyster Commission on sand, shell, and gravel used by counties, cities, and towns for constructing streets and roads; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 318 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 318, A bill to be entitled "An Act making certain emergency appropriations out of General Revenue of the State Treasury to the Department of Agriculture to print farm census data; for payment of electroplates, etchings, and materials purchased; for salary of Mrs. Avon Garrett, one month, and for printing such farm data in bulletin form to be distributed by using franking privileges permitted by joint agreement between

the Department of Agriculture and United States Crop Reporting Service; and declaring an emergency."

The bill was read second time.

Mr. Alsup offered the following amendment to the bill:

Amend Senate Bill No. 318, page 2, by striking out line 3.

The amendment was adopted.

Senate Bill No. 318 then failed to pass to third reading.

Mr. Harman moved to reconsider the vote by which the bill failed to pass.

Mr. Kayton moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Alexander.	Leonard.
Alsup.	Lindsey.
Anderson	Lotief.
of Bexar.	Mackay.
Baker.	Magee.
Barron.	McClain.
Beck.	McDougald.
Bourne.	Merritt.
Bradley.	Mitcham.
Burns.	Morrison.
Camp.	Munson.
Canon.	Parkhouse.
Celaya.	Pavlica.
Chastain.	Pope.
Coombes.	Puryear.
Crossley.	Ratliff.
Daniel.	Reed of Bowie.
Davidson.	Rogers
Devall.	of Ochiltree.
Dunagan.	Rollins.
Fain.	Ross.
Glass.	Russell.
Goodman.	Scott.
Greathouse.	Shannon.
Griffith.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hester.	Stovall.
Hicks.	Sullivan.
Hill of Brazoria.	Thomas.
Holland.	Tillery.
Huddleston.	Townsend.
Hughes.	Vaughan.
Hunt.	Walker.
James.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Kayton.	

Nays—26

Barrett.	Kyle of Hays.
Clayton.	Kyle of Palo Pinto.
Dean.	McCullough.
Engelhard.	Moffett.
Fuchs.	Nicholson.
Good.	Ray.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Shults.
Hoskins.	Smith.
Hyder.	Tennyson.
Jackson.	Van Zandt.
Jefferson.	Wagstaff.

Present—Not Voting

Holekamp.	Moore.
-----------	--------

Absent

Bedford.	Long.
Butler.	Mathis.
Cathey.	McGregor.
Caven.	McKee.
Colson.	Metcalf.
Cowley.	Morse.
Dunlap.	Palmer.
Duvall.	Patterson.
Dwyer.	Ramsey.
Few.	Riddle.
Ford.	Roberts.
Golson.	Rogers of Hunt.
Graves.	Savage.
Harrison.	Scarborough.
Hodges.	Tarwater.
Jones of Shelby.	Turlington.
Laird.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

SENATE BILL NO. 553 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 553, A bill to be entitled "An Act making an emergency appropriation of \$1,500 for postage to be used by the State Department of Education during the remainder of the fiscal year ending August 31, 1933; and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 553, page 1, Section 1, by inserting between the

words "education" and "during," in line 30, the following: "for stamps and contingent."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 553, page 1, by adding the following at the end of Section 1: "The sum of one thousand five hundred dollars (\$1,500), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury to be used by the Secretary of State's office for stamps and contingent during the remainder of the fiscal year ending August 31, 1933."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend the caption to Senate Bill No. 553, line 23, by inserting between the words "education" and "during," the following: "one thousand five hundred dollars (\$1,500) for postage to be used by the Department of Secretary of State."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend Senate Bill No. 553, page 1, by adding to the end of Section 1, the following:

"For compiling, editing, printing, indexing, and distributing the General and Special Laws of the Forty-third Legislature, and for the distribution of the Journals of the Forty-third Legislature, an emergency appropriation of twelve thousand five hundred dollars (\$12,500) is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the Secretary of State's office," and amend the caption accordingly.

The amendment was adopted.

Senate Bill No. 553 was then passed to third reading by the following vote:

Yeas—79

Alexander.	Dunagan.
Baker.	Engelhard.
Bourne.	Few.
Camp.	Ford.
Canon.	Goodman.
Cathey.	Greathouse.
Celaya.	Griffith.
Chastain.	Hankamer.
Clayton.	Harman.
Crossley.	Hartzog.
Davidson.	Head.

Hill of Brazoria.	Pavlica.
Hodges.	Ratliff.
Holekamp.	Ray.
Holland.	Reed of Bowie.
Hoskins.	Reed of Dallas.
Huddleston.	Renfro.
Hunt.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Atascosa.	Russell.
Jones of Shelby.	Shannon.
Kayton.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Steward.
Leonard.	Stinson.
Long.	Stovall.
Mackay.	Sullivant.
Magee.	Tennyson.
McCullough.	Thomas.
Merritt.	Townsend.
Metcalfe.	Turlington.
Moffett.	Van Zandt.
Moore.	Wagstaff.
Morrison.	Walker.
Munson.	Wood.
Palmer.	Young.
Parkhouse.	

Nays—24

Alsup.	Laird.
Anderson	Lindsey.
of Bexar.	Lotief.
Beck.	McClain.
Bedford.	McDougald.
Burns.	Mitcham.
Coombes.	Nicholson.
Daniel.	Puryear.
Devall.	Scott.
Fain.	Tillery.
Glass.	Vaughan.
Hicks.	Winningham.
Hughes.	

Absent

Barrett.	Hester.
Barron.	Jefferson.
Bradley.	Jones of Runnels.
Butler.	Mathis.
Caven.	McGregor.
Colson.	McKee.
Cowley.	Morse.
Dean.	Patterson.
Dunlap.	Pope.
Duvall.	Ramsey.
Dwyer.	Riddle.
Fuchs.	Savage.
Golson.	Scarborough.
Good.	Stanfield.
Graves.	Tarwater.
Harris.	Weinert.
Harrison.	Wells.

Absent—Excused

Adamson.	Aikin.
----------	--------

Anderson	Holloway.
of Johnson.	Johnson
Calvert.	of Dimmit.
Fisher.	Latham.
Haag.	Lemens.
Hill of Webb.	Reader.

SENATE BILL NO. 553 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 553 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96

Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Leonard.
Baker.	Lindsey.
Barron.	Lotief.
Bourne.	Mackay.
Camp.	Magee.
Canon.	McClain.
Cathey.	McCullough.
Caven.	McDougald.
Celaya.	Merritt.
Chastain.	Metcalfe.
Clayton.	Moffett.
Coombes.	Moore.
Crossley.	Morrison.
Davidson.	Morse.
Dean.	Munson.
Devall.	Nicholson.
Dunagan.	Palmer.
Few.	Parkhouse.
Ford.	Pavlica.
Fuchs.	Ratliff.
Glass.	Ray.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rogers
Hartzog.	of Ochiltree.
Hester.	Rollins.
Hicks.	Ross.
Hill of Brazoria.	Russell.
Hodges.	Scott.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hunt.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.
James.	Sullivant.
Jefferson.	Tennyson.
Johnson	Thomas.
of Anderson.	Townsend.
Jones of Atascosa.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.

Walker.
Wood.

Young.

Nays—9

Beck.
Bedford.
Daniel.
Fain.
Mitcham.Puryear.
Reed of Bowie.
Tillery.
Winningham.

Absent

Barrett.
Bradley.
Burns.
Butler.
Colson.
Cowley.
Dunlap.
Duvall.
Dwyer.
Engelhard.
Golson.
Good.
Graves.
Harris.
Harrison.
Head.Hughes.
Jones of Runnels.
Long.
Mathis.
McGregor.
McKee.
Patterson.
Pope.
Ramsey.
Riddle.
Savage.
Scarborough.
Tarwater.
Turlington.
Weinert.
Wells.

Absent—Excused

Adamson.
Aikin.
Anderson
of Johnson.
Calvert.
Fisher.
Haag.Hill of Webb.
Holloway.
Johnson
of Dimmit.
Latham.
Lemens.
Reader.

The Speaker then laid Senate Bill No. 553 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—79

Alexander.
Anderson
of Bexar.
Barrett.
Bedford.
Bourne.
Burns.
Celaya.
Chastain.
Clayton.
Crossley.
Davidson.
Dunlap.
Engelhard.
Few.
Ford.
Good.
Goodman.
Greathouse.
Griffith.
Hankamer.Harman.
Hartzog.
Hester.
Hill of Brazoria.
Hodges.
Holekamp.
Hoskins.
Hunt.
Hyder.
Jackson.
James.
Jefferson.
Johnson
of Anderson.
Jones of Atascosa.
Jones of Shelby.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Laird.
Leonard.Lindsey.
Long.
Mackay.
Magee.
McClain.
McCullough.
Metcalf.
Moffett.
Moore.
Morrison.
Morse.
Munson.
Palmer.
Parkhouse.
Pavlica.
Ratliff.
Ray.
Reed of Dallas.
Renfro.
Roberts.Rogers
of Ochiltree.
Rollins.
Ross.
Russell.
Shannon.
Shults.
Smith.
Stanfield.
Steward.
Stovall.
Sullivant.
Tennyson.
Thomas.
Townsend.
Van Zandt.
Wagstaff.
Walker.
Wood.
Young.

Nays—30

Alsup.
Baker.
Beck.
Camp.
Canon.
Cathey.
Coombes.
Daniel.
Dean.
Devall.
Fain.
Fuchs.
Glass.
Harris.
Hicks.Huddleston.
Hughes.
Lotief.
McDougald.
Mitcham.
Nicholson.
Pope.
Puryear.
Reed of Bowie.
Rogers of Hunt.
Scott.
Stinson.
Tillery.
Vaughan.
Winningham.

Absent

Barron.
Bradley.
Butler.
Caven.
Colson.
Cowley.
Dunagan.
Duvall.
Dwyer.
Golson.
Graves.
Harrison.
Head.
Holland.Jones of Runnels.
Mathis.
McGregor.
McKee.
Merritt.
Patterson.
Ramsey.
Riddle.
Savage.
Scarborough.
Tarwater.
Turlington.
Weinert.
Wells.

Absent—Excused

Adamson.
Aikin.
Anderson
of Johnson.
Calvert.
Fisher.
Haag.Hill of Webb.
Holloway.
Johnson
of Dimmit.
Latham.
Lemens.
Reader.

SENATE BILL NO. 247 ON THIRD
READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93

Alsup.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Laird.
Baker.	Leonard.
Barrett.	Lotief.
Bourne.	Mackay.
Burns.	Magee.
Canon.	McClain.
Cathey.	McCullough.
Celaya.	McDougald.
Chastain.	McGregor.
Clayton.	Metcalfe.
Coombes.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Devall.	Morse.
Dunlap.	Munson.
Few.	Nicholson.
Ford.	Palmer.
Fuchs.	Pavlica.
Glass.	Ratliff.
Golson.	Ray.
Good.	Reed of Dallas.
Goodman.	Renfro.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Rogers
Harman.	of Ochiltree.
Hartzog.	Rollins.
Hester.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Scott.
Hodges.	Shannon.
Hoskins.	Shults.
Huddleston.	Smith.
Hughes.	Stanfield.
Hunt.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.
James.	Sullivant.
Jefferson.	Tennyson.
Johnson	Townsend.
of Anderson.	Van Zandt.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wood.

Nays—12

Alexander.	Fain.
Bedford.	Lindsey.
Camp.	Merritt.

Parkhouse.	Reed of Bowie.
Pope.	Vaughan.
Puryear.	Winningham.

Present—Not Voting

Holekamp.

Absent

Barron.	Holland.
Beck.	Long.
Bradley.	Mathis.
Butler.	McKee.
Caven.	Patterson.
Colson.	Ramsey.
Cowley.	Riddle.
Dean.	Savage.
Dunagan.	Scarborough.
Duvall.	Tarwater.
Dwyer.	Thomas.
Engelhard.	Tillery.
Graves.	Turlington.
Harris.	Wells.
Harrison.	Young.
Head.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 247 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mr. Camp moved to reconsider the vote by which the bill was passed.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—32

Bedford.	Lindsey.
Bourne.	Lotief.
Burns.	Mitcham.
Camp.	Nicholson.
Coombes.	Pavlica.
Crossley.	Puryear.
Daniel.	Reed of Bowie.
Devall.	Ross.
Dunlap.	Steward.
Glass.	Stinson.
Golson.	Stovall.
Goodman.	Tennyson.
Hunt.	Vaughan.
James.	Walker.
Johnson	Winningham.
of Anderson.	Wood.
Jones of Runnels.	

Nays—69

Alexander.	Leonard.
Alsup.	Mackay.
Anderson	Magee.
of Bexar.	McClain.
Baker.	McCullough.
Canon.	McDougald.
Cathey.	Merritt.
Chastain.	Metcalf.
Clayton.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Fain.	Morse.
Few.	Munson.
Good.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Ratliff.
Hankamer.	Ray.
Harman.	Reed of Dallas.
Hartzog.	Renfro.
Hester.	Roberts.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Hoskins.	Scott.
Huddleston.	Shannon.
Hughes.	Shults.
Hyder.	Stanfield.
Jackson.	Sullivant.
Jefferson.	Thomas.
Jones of Atascosa.	Townsend.
Jones of Shelby.	Van Zandt.
Kayton.	Wagstaff.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Young.
Laird.	

Present—Not Voting

Smith.

Absent

Barrett.	Head.
Barron.	Holland.
Beck.	Long.
Bradley.	Mathis.
Butler.	McGregor.
Caven.	McKee.
Celaya.	Patterson.
Colson.	Pope.
Cowley.	Ramsey.
Dunagan.	Riddle.
Duvall.	Russell.
Dwyer.	Savage.
Engelhard.	Scarborough.
Ford.	Tarwater.
Fuchs.	Tillery.
Graves.	Turlington.
Harris.	Wells.
Harrison.	

Absent—Excused

Adamson.	Calvert.
Aikin.	Fisher.
Anderson	Haag.
of Johnson.	Hill of Webb.

Holloway.
Johnson
 of Dimmit.

Latham.
Lemens.
Reader.

SENATE BILL NO. 288 ON THIRD
'READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92

Alexander.	Laird.
Alsup.	Leonard.
Anderson	Long.
of Bexar.	Lotief.
Baker.	Mackay.
Barrett.	McClain.
Barron.	McCullough.
Bedford.	McDougald.
Bourne.	McGregor.
Burns.	Merritt.
Camp.	Metcalf.
Canon.	Moffett.
Cathey.	Moore.
Celaya.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Crossley.	Nicholson.
Daniel.	Palmer.
Dean.	Parkhouse.
Devall.	Pavlica.
Dunlap.	Ratliff.
Few.	Ray.
Ford.	Renfro.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Harman.	Shannon.
Harris.	Shults.
Hartzog.	Smith.
Hester.	Stanfield.
Hicks.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Hoskins.	Sullivant.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Townsend.
Jackson.	Van Zandt.
Jefferson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Winningham.
Kayton.	Wood.
Kyle of Hays.	Young.

Nays—13

Coombes.	Fain.
----------	-------

Glass.	Puryear.
Hunt.	Reed of Bowie.
James.	Reed of Dallas.
Kyle of Palo Pinto.	Russell.
Lindsey.	Vaughan.
Pope.	

Absent

Beck.	Johnson
Bradley.	of Anderson.
Butler.	Magee.
Caven.	Mathis.
Colson.	McKee.
Cowley.	Mitcham.
Davidson.	Patterson.
Dunagan.	Ramsey.
Duvall.	Riddle.
Dwyer.	Savage.
Engelhard.	Scarborough.
Fuchs.	Scott.
Graves.	Tarwater.
Harrison.	Tillery.
Head.	Turlington.
Hill of Brazoria.	Wells.
Holland.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 288 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—87

Alexander.	Graves.
Alsup.	Griffith.
Baker.	Hankamer.
Barrett.	Harman.
Bedford.	Harris.
Bourne.	Hartzog.
Burns.	Hill of Brazoria.
Canon.	Hodges.
Cathey.	Holekamp.
Celaya.	Hoskins.
Chastain.	Huddleston.
Clayton.	Hughes.
Crossley.	Hyder.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Dunlap.	Johnson
Engelhard.	of Anderson.
Few.	Jones of Atascosa.
Ford.	Jones of Runnels.
Golson.	Jones of Shelby.
Good.	Kayton.
Goodman.	Kyle of Hays.

Leonard.	Renfro.
Lindsey.	Roberts.
Long.	Rogers of Hunt.
Mackay.	Rogers
Magee.	of Ochiltree.
McClain.	Rollins.
McCullough.	Ross.
McDougald.	Shannon.
Merritt.	Shults.
Metcalfe.	Smith.
Mitcham.	Steward.
Moffett.	Stovall.
Moore.	Tennyson.
Morrison.	Thomas.
Morse.	Tillery.
Munson.	Townsend.
Nicholson.	Van Zandt.
Palmer.	Wagstaff.
Parkhouse.	Weinert.
Pavlica.	Winningham.
Ratliff.	Wood.
Ray.	

Nays—19

Camp.	Pope.
Coombes.	Puryear.
Devall.	Reed of Bowie.
Fain.	Reed of Dallas.
Glass.	Russell.
Greathouse.	Scott.
Hester.	Stanfield.
Hicks.	Stinson.
Hunt.	Vaughan.
Kyle of Palo Pinto.	

Absent

Anderson	Laird.
of Bexar.	Lotief.
Barron.	Mathis.
Beck.	McGregor.
Bradley.	McKee.
Butler.	Patterson.
Caven.	Ramsey.
Colson.	Riddle.
Cowley.	Savage.
Dunagan.	Scarborough.
Duvall.	Sullivant.
Dwyer.	Tarwater.
Fuchs.	Turlington.
Harrison.	Walker.
Head.	Wells.
Holland.	Young.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

SENATE BILL NO. 289 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 289 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92

Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Leonard.
Baker.	Long.
Barrett.	Mackay.
Barron.	Magee.
Bedford.	McClain.
Bourne.	McCullough.
Burns.	McDougald.
Canon.	Metcalfe.
Cathey.	Mitcham.
Clayton.	Moffett.
Coombes.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Munson.
Dean.	Nicholson.
Devall.	Palmer.
Dunlap.	Parkhouse.
Engelhard.	Pavlica.
Few.	Pope.
Ford.	Ratliff.
Golson.	Ray.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Hankamer.	Rogers
Harman.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Ross.
Hester.	Russell.
Hill of Brazoria.	Shannon.
Hodges.	Shults.
Hoskins.	Smith.
Huddleston.	Steward.
Hughes.	Stovall.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Townsend.
Jefferson.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.
Kayton.	

Nays—13

Camp.	Lindsey.
Chastain.	Puryear.
Fain.	Rogers of Hunt.
Glass.	Stanfield.
Graves.	Stinson.
Hicks.	Vaughan.
James.	

Present—Not Voting

Scott.

Absent

Beck.	Mathis.
Bradley.	McGregor.
Butler.	McKee.
Caven.	Merritt.
Celaya.	Patterson.
Colson.	Ramsey.
Cowley.	Riddle.
Dunagan.	Savage.
Duvall.	Scarborough.
Dwyer.	Sullivant.
Fuchs.	Tarwater.
Harrison.	Tillery.
Head.	Turlington.
Holekamp.	Wells.
Holland.	Young.
Lotief.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 289 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—87

Alexander.	Harris.
Alsup.	Hartzog.
Anderson	Hester.
of Bexar.	Hill of Brazoria.
Baker.	Hodges.
Barrett.	Hoskins.
Bedford.	Huddleston.
Bourne.	Hughes.
Burns.	Hunt.
Canon.	Hyder.
Cathey.	Jackson.
Celaya.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Coombes.	Jones of Shelby.
Cowley.	Kayton.
Crossley.	Kyle of Palo Pinto.
Dean.	Laird.
Engelhard.	Leonard.
Few.	Long.
Ford.	Mackay.
Golson.	Magee.
Good.	McClain.
Goodman.	McDougald.
Greathouse.	Merritt.
Griffith.	Metcalfe.
Hankamer.	Mitcham.
Harman.	Moffett.

Moore.	Rollins.
Morrison.	Ross.
Morse.	Russell.
Munson.	Shannon.
Nicholson.	Shults.
Palmer.	Smith.
Parkhouse.	Steward.
Pavlica.	Stovall.
Pope.	Tennyson.
Ratliff.	Thomas.
Ray.	Tillery.
Reed of Bowie.	Townsend.
Reed of Dallas.	Van Zandt.
Renfro.	Wagstaff.
Roberts.	Walker.
Rogers	Weinert.
of Ochiltree.	Wood.

Nays—17

Camp.	Lindsey.
Daniel.	Puryear.
Devall.	Rogers of Hunt.
Fain.	Scott.
Glass.	Stanfield.
Graves.	Stinson.
Hicks.	Vaughan.
James.	Winningham.
Jones of Runnels.	

Absent

Barron.	Kyle of Hays.
Beck.	Lotief.
Bradley.	Mathis.
Butler.	McCullough.
Caven.	McGregor.
Colson.	McKee.
Davidson.	Patterson.
Dunlap.	Ramsey.
Dunagan.	Riddle.
Duvall.	Savage.
Dwyer.	Scarborough.
Fuchs.	Sullivant.
Harrison.	Tarwater.
Head.	Turlington.
Holekamp.	Wells.
Holland.	Young.
Jefferson.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate

has adopted the conference committee report on House Bill No. 175 by the following vote: Yeas, 26; nays, 3.

The Senate has adopted

H. C. R. No. 56, Granting permission to the Abilene Plumbing Company to sue the State.

H. C. R. No. 61, Granting permission to W. F. Sewell and wife to bring suit against the State of Texas.

H. C. R. No. 62, Granting permission to E. A. Eliot and wife to sue the State Highway Commission.

H. C. R. No. 66, Granting permission to A. C. Reisig et al., to sue the State.

S. C. R. No. 70, Authorizing the Highway Commission to loan to the Texas Rehabilitation and Relief Commission such trucks as are available, terms to be mutually agreed upon by the Highway Commission and the Texas Rehabilitation and Relief Commission.

The Senate has passed

H. B. No. 926, A bill to be entitled "An Act providing for open seasons for the taking and killing of squirrels in Kaufman County during the months of May, June, July, October, November, and December, of each year; providing the penalty for violation of said Act, and declaring an emergency."

S. B. No. 485, A bill to be entitled "An Act to authorize any county in this State, whose population according to the last preceding United States Census did not exceed fifteen thousand, having at the time of the passage of this Act, any claim for money against any person, partnership, corporation, joint stock or other association, and whose claim shall amount to at least fifty per cent of all the claims against such debtor, to purchase the property of such debtor or debtors, at any sale made within two years from the date this Act shall become effective under any proceedings in bankruptcy, receivership, or in any other judicial proceedings whatever, whenever the commissioners court of said county shall be of the opinion that it is necessary or advisable so to do to protect the interest of the county, for such price as the commissioners

court may deem advisable for the best interests of the county, and to have such property by said trustee in bankruptcy, receiver or other judicial officer conveyed and transferred to the county; etc., and declaring an emergency."

The Senate has adopted conference committee report on House Bill No. 167 by the following vote: Yeas, 19; nays, 10.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 500 ON SECOND READING

On motion of Mr. Hunt, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 500, A bill to be entitled "An Act amending Article 8183, and Article 8184, Chapter 7, Title 128, Revised Civil Statutes of the State of Texas, 1925, providing for the dissolution of drainage districts, water improvement districts, and all other reclamation districts created for the conservation, reclamation, and protection of the natural resources of the State of Texas; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate Bill No. 500 by adding immediately ahead of the word "court," the word "commissioners," in Section 1, line 9, page 2.

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate Bill No. 500 by inserting, after the word "dissolution," the following words: "after the correction of all errors," in Section 2, line 24.

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate Bill No. 500 by correcting typographical error contained in printed bill, by striking out the word "owned," in Section 3, line 30, page 2, being the last word in said line, and by substituting therefor the word "owed."

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate Bill No. 500 by inserting, after the period at the end of the sentence in Section 3, line 12, page 3, a new sentence reading as follows:

"Provided further, that unmatured bonds shall only be eligible for the payment in advance of unmatured tax liability determined according to the provisions of this Act, and only for the years in which such bonds mature."

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend Senate Bill No. 500 by striking out the last seven words in Section 3, page 2, line 34, and by striking out the first word in line 35.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 500 was then passed to third reading.

SENATE BILL NO. 500 ON THIRD READING

Mr. Jones of Atascosa moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 500 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas--99

Alsup.	Glass.
Anderson	Golson.
of Bexar.	Good.
Baker.	Goodman.
Barrett.	Griffith.
Beck.	Hankamer.
Bourne.	Harris.
Bradley.	Harrison.
Burns.	Hartzog.
Camp.	Head.
Cathey.	Hester.
Colson.	Hicks.
Cowley.	Hill of Brazoria.
Crossley.	Holekamp.
Daniel.	Holland.
Dean.	Hoskins.
Devall.	Hughes.
Dunagan.	Hunt.
Fain.	Hyder.
Few.	Jackson.
Ford.	James.
Fuchs.	Jefferson.

Johnson	Renfro.
of Anderson.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kayton.	Rollins.
Kyle of Palo Pinto.	Ross.
Laird.	Scott.
Leonard.	Shannon.
Lotief.	Shults.
Mackay.	Smith.
McClain.	Stanfield.
McGregor.	Steward.
Merritt.	Stinson.
Metcalfe.	Stovall.
Moffett.	Sullivant.
Moore.	Tarwater.
Morrison.	Tennyson.
Munson.	Thomas.
Nicholson.	Townsend.
Palmer.	Turlington.
Pavlica.	Van Zandt.
Pope.	Vaughan.
Puryear.	Wagstaff.
Ramsey.	Walker.
Ratliff.	Weinert.
Ray.	Wells.
Reed of Bowie.	Wood.
Reed of Dallas.	Young.

Nays—8

Coombes.	McCullough.
Greathouse.	Russell.
Huddleston.	Tillery.
Lindsey.	Winningham.

Absent

Alexander.	Harman.
Barron.	Hodges.
Bedford.	Kyle of Hays.
Butler.	Long.
Canon.	Magee.
Caven.	Mathis.
Celaya.	McDougald.
Chastain.	McKee.
Clayton.	Mitcham.
Davidson.	Morse.
Dunlap.	Parkhouse.
Duvall.	Patterson.
Dwyer.	Riddle.
Engelhard.	Savage.
Graves.	Scarborough.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 500 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Alsup.	Laird.
Anderson	Leonard.
of Bexar.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Barron.	McClain.
Beck.	McCullough.
Bourne.	McGregor.
Burns.	Merritt.
Cathey.	Metcalfe.
Colson.	Mitcham.
Cowley.	Moffett.
Crossley.	Moore.
Daniel.	Morrison.
Davidson.	Morse.
Dean.	Munson.
Dunagan.	Nicholson.
Engelhard.	Palmer.
Fain.	Pavlica.
Few.	Pope.
Ford.	Ramsey.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Renfro.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harris.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Rollins.
Head.	Ross.
Hester.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Holekamp.	Smith.
Holland.	Steward.
Hoskins.	Stovall.
Hughes.	Sullivant.
Hunt.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Townsend.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—11

Coombes.	Russell.
Greathouse.	Scarborough.
Huddleston.	Stanfield.
Lindsey.	Tillery.
Parkhouse.	Winningham.
Puryear.	

Present—Not Voting

Camp. Devall.

Absent

Alexander.	Graves.
Bedford.	Harman.
Bradley.	Hodges.
Butler.	Long.
Canon.	Mathis.
Caven.	McDougald.
Celaya.	McKee.
Chastain.	Patterson.
Clayton.	Riddle.
Dunlap.	Savage.
Duvall.	Stinson.
Dwyer.	Weinert.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

Mr. McGregor moved to reconsider the vote by which the bill was passed. The motion to reconsider prevailed.

Senate Bill No. 500 was then passed by the following vote:

Yeas—107

Alsup.	Hankamer.
Anderson	Harman.
of Bexar.	Harris.
Baker.	Harrison.
Barrett.	Hartzog.
Barron.	Head.
Beck.	Hester.
Bedford.	Hicks.
Bourne.	Hill of Brazoria.
Bradley.	Holekamp.
Burns.	Holland.
Cathey.	Hoskins.
Clayton.	Hughes.
Cowley.	Hunt.
Crossley.	Hyder.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Dunlap.	Johnson
Dunagan.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Ford.	Kayton.
Fuchs.	Kyle of Hays.
Glass.	Kyle of Palo Pinto.
Golson.	Laird.
Good.	Leonard.
Goodman.	Lotief.
Griffith.	Mackay.

Magee.	Rollins.
McClain.	Ross.
McGregor.	Russell.
Merritt.	Scarborough.
Metcalfe.	Scott.
Mitcham.	Shannon.
Moffett.	Shults.
Moore.	Smith.
Morrison.	Stanfield.
Morse.	Steward.
Munson.	Stinson.
Nicholson.	Stovall.
Parkhouse.	Sullivan.
Pavlica.	Tarwater.
Pope.	Thomas.
Ramsey.	Townsend.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Renfro.	Walker.
Riddle.	Weinert.
Roberts.	Wood.
Rogers of Hunt.	Young.
Rogers	
of Ochiltree.	

Nays—7

Coombes.	McCullough.
Greathouse.	Puryear.
Huddleston.	Tillery.
Lindsey.	

Present—Not Voting

Camp. Devall.

Absent

Alexander.	Long.
Butler.	Mathis.
Canon.	McDougald.
Caven.	McKee.
Celaya.	Palmer.
Chastain.	Patterson.
Colson.	Savage.
Duvall.	Tennyson.
Dwyer.	Wells.
Graves.	Winningham.
Hodges.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate

has adopted conference committee report on Senate Bill No. 262 by the following vote: Yeas, 21; nays, 3.

Respectfully,

BOB BARKER,
Secretary of the Senate.

**SENATE BILL NO. 88 ON THIRD
READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 88, A bill to be entitled "An Act amending Chapter 91, page 222, Section 4, of the Acts of the Forty-first Legislature, 1929, First Called Session; relating to additional duties of the State Auditor; and declaring an emergency."

The bill was read third time.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate Bill No. 88 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. It is hereby declared to be the policy of the State for the Legislature thereof to provide for the independent auditing of the accounts and financial transactions of all spending agencies of the State through a disinterested State Auditor who is directly responsible to the Legislature and entirely independent of the State Administration whose affairs he is called upon to audit. The primary purpose of such auditing is declared to be to serve as a check on the Executive and the spending agencies of the State in providing the necessary measures of financial control to see that income and expenditures conform to the authorizations made, and the requirements laid down, by the Legislature, and that the public money is spent in strict accordance with the appropriations made by the Legislature, and to provide the Legislature with information in relation to such matters.

"Sec. 2. In pursuance of the policy hereby declared, a State Auditor shall be selected by the Forty-third Legislature and each succeeding Legislature, to serve as an officer thereof during the life thereof and until his successor has been selected and has qualified, or the office has been abolished by the next succeeding Legislature. The State Auditor shall be

a certified public accountant of good moral character with at least five years' experience as such in auditing and in government finance and administration. He shall have no financial interest in any transactions of any office, department, board, commission, or other agency of the State Government. Should the office of State Auditor become vacant during a period in which the Legislature is not in session, appointment to fill such vacancy of a person qualified, as herein provided, shall be made by the Speaker of the House of Representatives. Such appointment so made shall continue in effect until the Legislature, at its next regular or called session, shall have chosen a successor, and the successor so chosen shall have qualified, to serve for the unexpired portion of the term during which elected. It is hereby declared to be the policy of the Legislature that the State Auditor and his assistants be maintained and continued by successive reappointments during meritorious service from one Legislature to another, to the end that the knowledge, experience, and skill acquired in the course of the work of the office may continue to be available in the service of the Legislature.

"Sec. 3. The State Auditor shall devote his entire time to the duties of his office, shall maintain his office in the Capitol, and shall receive compensation for his services and necessary traveling expenses payable monthly, as other State officials are paid, provided, that the total amount thereof shall not exceed the amount appropriated by law for such purposes. All necessary expenses and capital outlays of the office shall be incurred by the State Auditor, and shall be paid by the State Treasurer on the warrants of the Comptroller under appropriations made by law therefor.

"Sec. 4. The State Auditor shall appoint a Deputy State Auditor who shall be a certified public accountant of good moral character, with at least three years of experience as such, who, in the absence of the State Auditor, shall exercise the powers and discharge the duties of the State Auditor. The State Auditor may appoint such other assistants as he may require, subject to the appropriations made and provided. Each such ap-

pointment shall be made on the basis of merit and fitness for the duties to be performed which shall be determined by examinations given by the State Auditor, or under his direction. The State Auditor may accept a license to practice as a certified public accountant, evidence of past accomplishments, and any other evidence of special fitness to perform the work of any position under his charge, in lieu of any part or all of any such examination, to such extent and in such degree as he may deem warranted. The State Auditor shall have authority to discharge any member of his staff when, in his judgment, there is sufficient cause for such discharge, or when the services of such employe are no longer needed.

"Sec. 5. The State Auditor and the Deputy State Auditor shall each execute a bond in the sum of \$10,000, and each assistant of the State Auditor who, in the course of his duties, is required to handle any money, drafts, bills, or exchange warrants, or securities, or other evidences of debt which are, or may be, convertible into money, shall give bond in such reasonable sum as the State Auditor may require, conditioned on his faithful performance of the duties of his office or position. Each such bond shall be approved by the Attorney General, and shall be payable to the Treasurer of the State of Texas. If any bond herein required is undertaken by a surety company, the premiums shall be paid by the State under appropriations made by law for the office of the State Auditor.

"Sec. 6. The office of State Auditor and Efficiency Expert in the Executive Department is hereby abolished, and all its powers and duties in relation to the examination of the accounts, records, and reports of all officers of the State responsible for the receipt, custody, or disbursement of public moneys shall be exercised by the State Auditor herein provided for. All books, accounts, reports, vouchers, correspondence files, working papers, and all other records, furniture, and property appertaining to the office of State Auditor and Efficiency Expert are hereby transferred to and vested in the office of State Auditor, and all appropriations made for the office of the State Auditor and Efficiency Expert shall be available for expenditure by the State Auditor herein provided. Whenever

in the laws of this State as now written, reference is made to the State Auditor and Efficiency Expert, such term shall be construed to mean the State Auditor herein provided, except as otherwise provided in this Act.

"Sec. 7. It shall be the duty of the State Auditor:

"(1) To audit the accounts of all officers, departments, institutions, boards, commissions, and other agencies of the State Government, including the general accounts of the State.

"(2) To investigate the manner in which accounts and related records are kept, the system of controlling the incurring of obligations and accounting for obligations, the form in which claims are presented for payment, the method of auditing and approving claims for payment, the procedures for issuing and delivering warrants, the system of handling and accounting for revenues and cash receipts, and the system of filing vouchers and other supporting revenue and expenditure documents.

"(3) To investigate the means provided for accounting for, controlling, and insuring the safe custody of all property of the State, and to verify the existence and condition of such property charged to, or held in the custody of, any officer, or any department, board, commission, institution, or other agency of the State Government.

"(4) To audit the statements of financial condition and operations of the State Government, and examine the estimates of resources available for appropriation and the estimates of receipts prepared for inclusion in each biennial budget report, and to certify in writing as to the results of such audit and examination with such comments as he may deem necessary for the information and guidance of the Legislature, and his certificate and comments shall be included with such statements and estimates as presented in the budget reports.

"(5) If at any time he should discover any unauthorized, illegal, or otherwise irregular or unsafe handling or expenditure of State funds, or other improper practice of financial administration, or evidence that any such handling, expenditure, or practice is contemplated; or if during the conduct of any audit or investigation of any agency of the State Government, he or his authorized agents are

obstructed in the performance of his duties; forthwith, to lay the facts in writing before the Governor, each member of the audit committee of the Legislature hereinafter provided for, and the chief accounting officer of the State.

"(6) In the case of any audit or investigation in connection with which the State Auditor deems it necessary to obtain the testimony of witnesses, under oath, on any matter or thing pertinent to the subject matter of such audit or investigation, forthwith to report the facts in writing to each member of the audit committee of the Legislature, and request that such committee conduct the necessary hearings and investigations.

"(7) To assist the audit committee of the Legislature at hearings and investigations conducted by such committee, and to co-operate with the committee in the preparation of the committee's report to the Legislature.

"(8) To serve as a staff agency of the Legislature, or any of its committees, in making investigations of any phases of the State's finances.

"Sec. 8. The State Auditor shall not have any powers or duties except as herein specified. He shall not be responsible for the keeping of any accounts of the State, for the collection of any money due the State, or for the handling or custody of any State funds or other property otherwise than in the process of counting and verifying the amounts of such funds or other property in the course of the audits herein provided for.

"Sec. 9. Immediately upon completion of each audit and investigation, the State Auditor shall prepare a report of his findings and recommendations and furnish one copy thereof to the head of the department or other agency to which the report pertains, one copy to the Governor, one copy to the chief accounting officer of the State, and one copy to each member of the audit committee of the Legislature. He shall prepare and transmit to each Member of the Legislature, not later than December 15 immediately preceding the convening of each regular session of the Legislature, a report on his activities, summarizing the findings and recommendations made in his report on each audit or investigation made since the last preceding biennial report made to the Legislature, and presenting

such other findings and recommendations as he may see fit to make, and shall file a copy of such report with the Governor, and each such report, upon being so transmitted and filed, shall be a public document.

"Sec. 10. The State Auditor shall have access to, and authority to examine, any and all books, accounts, reports, vouchers, correspondence files, and other records, and money or other property of any agency of the State Government, and it shall be the duty of any officer or employe of any such agency, having such records or property in his possession or under his control, to permit access to, and examination of, them, upon the request of the State Auditor or any agent authorized by him to make such request. Any officer or person who shall fail or refuse to permit such access and examination or who shall in any way interfere with such examination, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100, or be imprisoned in the county jail for not less than one month, and not more than twelve months, or be punished by both such fine and imprisonment.

"Sec. 11. In order to perfect the legislative contact with the Administration through the office of the State Auditor, and in order to insure that the State Auditor's reports shall receive the attention that they merit, there shall be an audit committee of the Legislature of five members, consisting of three Representatives, to be appointed by the Speaker, and two Senators, to be appointed by the President of the Senate. It is hereby declared to be the policy of the Legislature that such a committee be appointed at each regular session of the Legislature, and that it be made the duty of such committee to receive and consider the reports of the State Auditor and to report to the respective Houses thereon. The committee shall have authority to hold hearings in any matter reported upon by the State Auditor that, in the opinion of the committee, demands investigation, necessitating the compelling of witnesses to testify, and the taking of testimony. The audit committee shall have power to sit at any time during or between sessions of the Legislature; to conduct hearings and investigations at any place in the State deemed to be advisable by such com-

mittee; to compel the attendance and testimony of witnesses and the production of books and papers, pertinent to the matters of inquiry; to administer oaths; to punish for contempt as in district courts; to pay witnesses who appear the same as witnesses are paid in district courts; and to pay the same fees as district courts for summoning witnesses.

"Sec. 12. It shall be the duty of the audit committee to make a critical review of all financial reports by the State Auditor, and of the reports of the State Treasurer, the Comptroller, and each other fiscal officer of the State, and to investigate all irregularities and unsatisfactory conditions disclosed in such reports; to conduct detailed inquiries each year into the costs of the Government for the two years last past; to ascertain and determine the justification for any departure in the expenditures from the budget estimates; and to make investigations of prices, rates of compensation, the necessity for expenditures, and the accounting, auditing, expenditure, and revenue-control procedures of the various departments and other agencies of the State Government.

"Sec. 13. If any part or portion of this Act should be held unconstitutional or invalid, for any reason, the remainder of the Act shall remain in force and effect.

"Sec. 14. Chapter 91, of the General and Special Laws of the Forty-first Legislature, Article 4345 of the Revised Civil Statutes of 1925, and so much of Article 4400 thereof as requires the Attorney General to inspect the accounts of the State Treasurer and the Comptroller and of all officers and persons charged with the collection or custody of funds of the State, and all other laws or parts of laws in conflict herewith, are hereby repealed, provided, that if House Bill No. 464, designated as the Administrative Code, now pending in the Legislature, becomes a law, then the provisions of this Act, so far as they may conflict with such law, shall be controlled by the provisions of such law.

"Sec. 15. The fact that there is now no agency and no official directly and solely responsible to the Legislature designated to audit and investigate the accounts and financial transactions of the various departments and institu-

tions of the State Government and report directly to the Legislature; the fact that the investigations of the committee created by House Concurrent Resolution No. 58 of the Regular Session of the Forty-second Legislature disclose an imperative need for an agency to work directly under and report directly to the Legislature in making independent audits of the various departments and other spending agencies of the State; and the fact that there is now no audit committee and no means provided for the compelling of the testimony of competent witnesses on the matters pertinent to the subject of such audits create an emergency and an imperative public necessity that the constitutional rule, requiring all bills to be read on three several days, be suspended, and such rule is suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

WAGSTAFF,
CAMP.

Mr. Moore offered the following amendment to the amendment:

Amend the amendment so as to provide that the Chief Justices of the Supreme Court and the Court of Criminal Appeals, and the Attorney General shall appoint the State Auditor.

On motion of Mr. Wagstaff, the amendment was tabled.

Question recurring on the amendment by Mr. Wagstaff, it was adopted.

(Speaker in the Chair.)

Mr. Moore offered the following amendment to the bill:

Amend Senate Bill No. 88 by striking out the enacting clause.

Mr. Kayton moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Moore, it was adopted by the following vote:

Yeas—66

Alsup.	Cathey.
Anderson	Chastain.
of Bexar.	Clayton.
Baker.	Coombes.
Barrett.	Davidson.
Beck.	Devall.
Bradley.	Dunagan.

Dwyer.	Mathis.
Engelhard.	McCullough.
Few.	McGregor.
Ford.	Moore.
Fuchs.	Morse.
Glass.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Greathouse.	Ramsey.
Griffith.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Renfro.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Holekamp.	of Ochiltree.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Scarborough.
Hunt.	Scott.
Jackson.	Stanfield.
James.	Stovall.
Jefferson.	Tarwater.
Jones of Atascosa.	Tillery.
Jones of Shelby.	Turlington.
Kayton.	Weinert.
Laird.	Winningham.
Lotief.	Young.

Nays—51

Alexander.	Merritt.
Barron.	Mitcham.
Bedford.	Moffett.
Bourne.	Morrison.
Camp.	Munson.
Canon.	Nicholson.
Cowley.	Parkhouse.
Crossley.	Ratliff.
Daniel.	Ray.
Dean.	Roberts.
Fain.	Rollins.
Golson.	Shannon.
Graves.	Shults.
Hankamer.	Smith.
Harrison.	Steward.
Hartzog.	Stinson.
Head.	Sullivant.
Hester.	Tennyson.
Hodges.	Thomas.
Hyder.	Townsend.
Jones of Runnels.	Van Zandt.
Leonard.	Vaughan.
Long.	Wagstaff.
Mackay.	Walker.
Magee.	Wood.
McDougald.	

Absent

Burns.	Johnson
Butler.	of Anderson.
Caven.	Kyle of Hays.
Celaya.	Kyle of Palo Pinto.
Colson.	Lindsey.
Dunlap.	McClain.
Duvall.	McKee.
Holland.	Metcalfe.

Palmer.	Savage.
Patterson.	Wells.
Riddle.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

Mr. Moore moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

CONFERENCE COMMITTEE ON
SENATE BILL NO. 242

On motion of Mr. Harman, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 242.

The Speaker announced the appointment of the following committee: Messrs. Harman, Ramsey, Stovall, Sullivant, and Daniel.

BILL RE-COMMITTED

On motion of Mr. Goodman, Senate Bill No. 531 was re-committed to the Committee on Judiciary.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 28, A bill to be entitled "An Act to regulate the practice of law in Texas; to create the State Bar of Texas; to provide for its organization, government, membership, powers, and duties. To authorize and empower said State Bar to make rules subject to the approval of the Supreme Court for the regulation of the practice of the law in this State, and for the admission to the practice of law in this State, and for the reprimand, suspension, or disbarment for cause of such practitioners; for the protection of the public against the improper, unethical, and unauthorized practice of the law in this State; providing for the reinstatement of

such practitioners and for an appeal by such practitioners from any order of reprimand, suspension, or disbarment to the Court of Civil Appeals for such practitioners Supreme Judicial District, for the trial of such practitioner, upon his filing his written election so to be tried, under Sections 313, 314, 315, and 316, Title 14, Revised Civil Statutes of Texas where the trial is by jury, unless waived; providing for fees to be paid by applicants for admission to practice law; and for membership fees to be paid by members of the State Bar, to be paid into the Treasury of the State Bar, and for penalties of the law in this State by any person not an active member of the State Bar, and prescribing penalties for the violation of such prohibition."

The Senate has concurred in House amendments to Senate Bill No. 553 by the following vote: Yeas, 29; nays, 0.

The Senate has refused to concur in House amendments to Senate Bill No. 242 by a viva voce vote, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Greer, Duggan, Regan, Redditt, and Blackert.

The Senate has concurred in House amendments to Senate Bill No. 100 by the following vote: Yeas, 28; nays, 1.

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 926, "An Act providing for open seasons for the taking and killing of squirrels in Kaufman County during the months of May, June, July, October, November, and December, of each year; providing the penalty for violation of said Act; and declaring an emergency."

SENATE BILL NO. 412 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, for consideration at this time, Senate Bill No. 412, relative to the collection of delinquent taxes; the bill having heretofore been

read second time, with amendment by Mr. Barron, pending.

Mr. Daniel offered the following substitute for the amendment by Mr. Barron:

Substitute for Barron amendment to Senate Bill No. 412 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Article 7076, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7076. The penalties provided for by this Chapter shall be recovered by the Attorney General in a suit brought by him in the name of the State of Texas; and it is further provided, that should any taxes or penalties provided for by this Chapter be found to be delinquent for a period of two years or more, the State Tax Board, consisting of the Comptroller of Public Accounts, the Secretary of State, and the State Tax Commissioner, shall be authorized to bring suit for the recovery of same in the name of the State of Texas. The State Tax Commissioner is hereby authorized to appoint and employ investigators, auditors, and/or other assistants as may be necessary to carry out the provisions of this Act, as said State Tax Commissioner may deem advisable; provided further, that in no event shall said State Tax Board or the State Tax Commissioner make any contract of employment for the collection of delinquent taxes on a contingent fee basis. The State Tax Commissioner is further authorized to request and receive the assistance of the Attorney General and the heads and employes of all other departments of the State Government to aid in the speedy recovery of such money or penalties due the State under the terms of this Chapter; and venue and jurisdiction of such suits is hereby conferred upon the courts of Travis County. It is further provided, that for the purpose of carrying out the terms of this Act, said State Tax Commissioner and said State Tax Board shall have the authority to examine at the principal or any other office in the United States of any person, firm, agent, or corporation permitted to do business

in this State, all books, records, and papers, and also any officers or employees thereof, under oath, and failure or refusal of any person, firm, agent, or corporation to permit such examination shall, upon certification of such refusal by the State Tax Commissioner to the Secretary of State, immediately forfeit the charter or permit to do business in this State until such examination as is required to be made is completed. The State Tax Board, or any authorized agent thereof, shall not make public or use said information derived in the course of said examination of said books, records, and papers, and/or officers or employees, except for the purpose of some judicial proceeding for the collection of delinquent taxes in which the State of Texas is a party.'

"Sec. 2. It is further specifically provided, that all of the provisions of this Act shall apply, and be applicable, to all delinquent taxes due and owing to the State of Texas, of every kind and character whatsoever, including all franchise, occupation, gross receipts, gross production, gross premiums tax on insurance companies, inheritance, gasoline, excise, and all other State taxes which have been delinquent for two years or more, other than State ad valorem taxes on property. It is hereby declared to be one of the purposes hereof to impose upon the State Tax Board the additional duty of collecting and aiding in the collection of all delinquent taxes enumerated and referred to herein, and all laws now applicable to the collection of such delinquent taxes, and all powers and authority now possessed by existing officers and agencies of the State Government are hereby, in addition, conferred upon said State Tax Board, as far as the same may be applicable, but this provision shall not in any matter, lessen, transfer, interfere with, or impair the rights or duties of existing agencies of government to collect delinquent taxes; provided further, that said State Tax Commissioner shall, after the passage hereof, be the chief administrative officer of this Act, and said State Tax Commissioner shall have full, exclusive power and authority to employ clerical personnel as may be necessary for the proper and efficient prosecution of delinquent tax suits, and all actions which may arise here-

under, which shall be in addition to such assistance as may be required by the State Tax Board or the State Tax Commissioner from the Attorney General of Texas.

"Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 4. In the event any word, sentence, paragraph, part, or portion of this Act should, for any reason, be held unconstitutional, such decision shall not affect any remaining part or parts hereof.

"Sec. 5. The fact that there is no adequate provision of law to carry out in full the purposes of this Act, and the further fact that the State of Texas is losing many millions of dollars annually by reason of non-collection of delinquent taxes, together with the fact that there is no existing State agency sufficiently removed from local politics to satisfactorily enforce existing tax laws, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days be, and the same is hereby suspended, and this Act shall be in force from and after its passage, and it is so enacted."

DANIEL,
BURNS.

Mr. Kayton, by unanimous consent, offered the following amendment to the admendment by Mr. Daniel:

Amend Senate Bill No. 412, at the end of Section 2, by inserting a new Section, to be known as Section 2-a, and reading as follows:

"Section 2-a. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby, appropriated out of the money in the State Treasury, not otherwise appropriated, for the support and maintenance of the State Tax Commissioner's office for the two-year period beginning September 1, 1933, and ending August 31, 1935; provided, that each and every employe of such office shall be paid by voucher issued in his or her name. Said voucher shall state the amount of salary or sum due and for what service performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers, endorsed by the payee; and provided further, that if any amount herein fixed for any particular

purpose be not used for such purpose, in whole or in part, the unused portion of such amount shall be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall

be allowed to draw more than the amount of such salary from any other salary or amount herein fixed, or from any State fund or funds under the control of the State Tax Commissioner referred to herein.

"THE STATE TAX COMMISSION

Salaries of:	For the Years Ending	
	August 31, 1934	August 31, 1935
Additional compensation to Tax Commissioner, not to exceed \$250 a month.....\$	3,000.00	\$ 3,000.00
One chief delinquent and intangible tax attorney	3,600.00	3,600.00
One chief delinquent and intangible tax supervisor, not to exceed \$250 per month.....	3,000.00	3,000.00
Three assistant delinquent and intangible tax supervisors, not to exceed \$200 per month..	7,200.00	7,200.00
Two traveling auditors, none to exceed \$175 per month	4,320.00	4,320.00
Two auditors, none to exceed \$150 per month.	3,600.00	3,600.00
Four stenographers and clerks, basis \$100 per month, none to exceed \$110.....	4,800.00	4,800.00
Traveling expenses	7,000.00	7,000.00
Stationery, supplies, office equipment, furniture, general maintenance and contingent expense, including salaries for additional employes, not to exceed the salaries as set out above in each classification, and bond premiums on all employes and Tax Commissioner	10,000.00	10,000.00"

Question recurring on the amendment by Mr. Kayton, it was adopted.

Mr. Vaughan offered the following amendment to the amendment by Mr. Daniel:

Amend amendment to Senate Bill No. 412, page 1, Section 1, Article 7076, line 5, of mimeographed copy by striking out of said line the words: "for a period of two years or more," and amend by striking the same words out of Section 2.

The amendment was adopted.

Question recurring on the substitute amendment, by Mr. Daniel, as amended, is was adopted.

Mr. Reed of Bowie offered the following amendment to the amendment:

Amend the pending substitute amendment to Senate Bill No. 412 by adding thereto after Section 2-a, another Section, to be numbered 2-b, as follows:

"Section 2-b: That Chapter 5 of Title 122 of the Revised Civil Statutes, 1925, and the Acts amendatory thereof, be, and the same are hereby, amended by adding Chapter 5-a to said Title, as follows:

"Section 1. In addition to the in-

heritance tax already levied by this State under existing laws, an inheritance and transfer tax is hereby levied upon the net estate of every decedent dying after this Act shall take effect, and whose estate, or any portion thereof, is, or hereafter shall be, made taxable under the inheritance tax laws of this State, or that may be subject to such taxes under any law of this State that may be hereafter enacted. Said tax shall be, and is, levied upon the entire net value of the taxable estate of the decedent situated and taxable in the State of Texas, and the tax on each such estate shall be equal to the difference between the sum of such taxes due this State as inheritance or transfer taxes and eighty (80) per cent of the total sum of the estate and transfer taxes imposed on such estate by the United States Government under the Revenue Act of 1926, by reason of the property of such estate which is situated in this State and taxable under the laws of this State.

"Sec. 2. The additional tax aforesaid shall be a lien upon the entire estate of the deceased and collectible out of said entire estate, or any part

thereof, regardless of exemptions and deductions; and, in event two (2) or more persons succeed to or become the owners of taxable interests in such estate, and in event inheritance or transfer taxes are assessed under the law against persons thereof or interests therein severally, then said additional tax levied and collected under this Act shall be apportioned between or among such part owners in proportion to the amount of the tax assessed against each share or interest in said estate:

"Sec. 3. In the event the amount of inheritance and transfer taxes assessed against any certain estate under the inheritance tax laws of this State shall equal or exceed eighty (80) per cent of the estate or transfer taxes assessed and computed by the United States under the Revenue Act of 1926, against said estate or property belonging thereto and situated within the State of Texas, then no additional taxes shall be collected hereunder, it being the purpose and intention of this Act to collect only a sufficient additional tax, when necessary, for the State to get full benefit of the eighty (80) per cent credit to the States, provided for by Section 301, Chapter 27, of the Federal Revenue Act of 1926.

"Sec. 4. Where no inheritance tax is imposed on an estate, which is situated in this State, under the laws of this State, by reason of its value not exceeding in value the amount of exemptions, and an estate tax is imposed on such estate by the Federal Government, then there shall be, and is hereby, levied and shall be collected from such estate, an inheritance or transfer tax sufficient in amount to equal eighty per cent (80%) of said tax imposed by the Federal Government under the Revenue Act of 1926, on that portion of said estate which is situated in the State of Texas. In computing and determining the rate of the tax in such cases named in this Section, the State Comptroller, or other officers, whose duty it is to calculate and determine the amount of inheritance taxes, shall compute the same upon the net valuation of said estate as determined and used by the United States in computing the amount of the Federal Government tax due upon said estate, and said tax shall be paid from the whole of such estate before partition and distribu-

tion among the joint or several owners of same, and the said tax shall be due and payable, and shall be subject to the same interest and penalties for non-payment, as are other inheritance taxes under the provisions of the inheritance tax laws of the State.

"Sec. 5. In determining what is eighty per cent (80%) of the United States estate tax mentioned in the preceding sections, the same shall be computed as eighty per cent (80%) of such taxes actually assessed and determined by the Federal Government under the Revenue Act of 1926, against every estate situated wholly in this State, or in case an estate is situated partly in this State and partly outside of this State, then such eighty per cent (80%) shall be computed as eighty per cent (80%) of the total amount of Federal taxes finally determined and assessed by the Federal Government under the Revenue Act of 1926, on and against that part of the estate situated in the State of Texas, and said amount of Federal tax shall be determined by multiplying the total Federal estate tax on the entire estate by a percentage which shall be the same percentage as the percentage of the net estate located in Texas is to the total net estate of the decedent, wherever located, before deducting specific exemptions. In every case, it shall be the duty of the executor, administrator, or other officer, whose duty it is under the law to file reports of property with the county court for inheritance tax purposes, to file with the county court which has jurisdiction of such estate, and with the Comptroller of Public Accounts at Austin, a report showing the values placed on such estate and the amount of the estate tax assessed against the same by the Federal Government; and in case the Federal Government adds to or increases the net or taxable value of any estate and levies an additional tax in accordance therewith, after having already determined and assessed a tax against said estate, then such officer shall report, as aforesaid, the amount of said increased value and the amount of the added tax levied by reason thereof, this requirement applying only to an estate, or to the portion of an estate, which is situated in the State of Texas; and upon such report the additional taxes due this State shall be calculated and determined.

"Sec. 6. In every case in which additional taxes have been assessed against an estate under the provisions of this Act, notice of the assessment of such additional tax shall be given by the county judge, at once, to the owners or co-parceners of said property against which said additional taxes have been assessed, and said tax shall become due in thirty (30) days after such notice, or within thirty (30) days after such owner or co-parcener shall have had actual notice of the assessment of such additional taxes, and said tax shall bear interest at the rate of six per cent (6%) per annum from the date of such notice, formal or actual, and if said tax is not paid within three (3) months from the date of such notice, a penalty of two per cent (2%) per month shall accrue on said taxes from the date same were due, which said penalty shall be in lieu of interest after said penalty begins to accrue. Nothing in this Act shall prevent any part owner or co-parcener of property, against which such additional taxes have been assessed, from paying his pro rata of such taxes and thus relieving his property from interest or penalties after such payment.

"Sec. 7. The notice, the date for maturing, payment, interest, and penalties provided for in this Act shall govern in every case of additional taxes assessed by virtue hereof, but the methods and means of collection and enforcement, by suit or otherwise, shall be governed by the provisions of the inheritance tax laws of this State.

"Sec. 8. Sections 1 to 7, inclusive, of this Chapter shall always be construed so as not to increase the total amount of taxes payable to the State and the Federal Government combined upon the estates of decedents, the only purpose of said additional tax being to take full advantage of the eighty per cent (80%) credit allowed by the Federal Revenue Act of 1926, to those who have paid any estate, inheritance, legacy, or succession tax to any State or territory, or to the District of Columbia, in respect to any property included in the descendants gross estate.

"Sec. 9. Within ten (10) days after a will shall have been filed for probate, it shall be the duty of the clerk of the court in which same is filed

to give written notice thereof to the State Comptroller, setting forth in such notice the name of the testator, his residence at the date of his death, the names and addresses of the executors, administrators, or trustees, the location of said estate, the name and address, and relation to the testator, of each devisee, legatee, and beneficiary under said will, and the approximate value of the share of each, and said clerk shall also give to the State Comptroller any other information which that official may call for in reference to any such estate or will, such information to be furnished within ten (10) days after being called for, such reports and information being for the purpose of enabling the State Comptroller to determine whether an inheritance tax is due and, if so, the amount thereof. If any county or probate clerk shall fail or refuse to comply with any of the provisions or requirements of this Section, he shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than fifty dollars (\$50), nor more than two hundred fifty dollars (\$250).

"Sec. 10. If the value of any estate taxes under Chapter 5, of Title 122, of the Revised Civil Statutes of 1925, with amendments, shall have been assessed and fixed by the Federal Government for the purpose of determining the Federal estate taxes due thereon, prior to the time the report which is required under the inheritance tax laws of this State is made to the State Comptroller, the value of the estate so fixed by the Federal Government shall be stated in such report. If the assessment of the estate by the Federal Government is made after the filing of such report to the State Comptroller, the officer or person whose duty it is to file the report which is required under the inheritance tax laws of this State, shall, within thirty (30) days after receiving notice or information of the final assessment and determination of the value of the estate as assessed and determined by the Federal Government for the purpose of fixing Federal estate taxes thereon, make to the State Comptroller a report of the value of said estate as so fixed and determined, said report to be made under oath.

"Sec. 11. Upon receipt of any report provided to be made to the State Comptroller under the preceding

Section and upon consideration thereof, if that official deems it advisable, he may take into consideration said report in determining the value of any estate for inheritance tax purposes, and may value or revalue such estate for such purpose after giving each beneficiary, or person at interest in said estate, thirty (30) days' written notice of such Federal valuation and of his said purpose to value or revalue said estate, and shall give such beneficiary, or person at interest, an opportunity to be heard, and to present evidence touching the value of such estate, and, after such notice and hearing, if any is had, the State Comptroller may finally fix the value of any such estate for inheritance tax purposes, and, if he deems the same just and true, he may accept the valuations as fixed by the Federal Government in any case in calculating and determining the amount of State inheritance taxes due; and if any additional taxes are assessed under this or the next two preceding Sections, written notice thereof shall be given to the executor, administrator, or other legal representatives, and to every person who owns a taxable part or share in such estate, which notice may be given by letter directed to the last known address of such owner; and said taxes shall become due and payable within three (3) months from the date of such notice, and all such taxes shall bear interest at the rate of six per cent (6%) per annum from the date of such notice, and on all such taxes not paid within three (3) months after the date of such notice, there shall be collected, as a penalty for non-payment, interest at the rate of two per cent (2%) per month from the expiration of said three (3) month period until paid, which said penalty shall be in lieu of interest after said penalty begins to accrue; and if said taxes, penalty, and interest are not paid in full within nine (9) months from the date said taxes were so determined and assessed, suit shall be brought to collect the same in accordance with the provisions of Article 7134, of the Revised Civil Statutes of 1925.

"Sec. 12. In the event the valuation of any estate is decreased under the next preceding Sections, and the amount of the taxes is determined by the State Comptroller to be less than same had previously been cal-

culated and determined, and if the overpayment of such taxes had been made, then the State Comptroller shall refund said taxes to the extent of the overpayment, out of any subsequent inheritance tax collections made by him before same is deposited to the General Revenue Fund of the State.

"Sec. 13. If any person, whose duty it is under the law to file inheritance tax reports in this State, shall fail to file with the State Comptroller the report provided for by this Act, stating the value at which any estate has been assessed by the Federal Government, he shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500); but it shall be a defense to said prosecution if the offending party shows that his failure was not wilful, and that he had good cause for failing in such duty. The State Comptroller is authorized and directed to confer quarterly with the Department of Internal Revenue of the United States to ascertain the value of estates in Texas which have been assessed or valued for taxes by the Federal Government, and he shall co-operate with said Department of Internal Revenue, furnishing to said Department all available information concerning estates of decedents in Texas which said Department may request.

"Sec. 14. The inheritance tax imposed upon every beneficiary's share of the estate of a non-resident decedent shall be a tax which, in amount, bears the same ratio to the entire tax for which the beneficiary's interest would be liable if the entire estate were situated in Texas, as the total value of the beneficiary's share of the decedent's estate which is situated in Texas, before allowable beneficiary deductions are made, bears to the total value of the beneficiary's entire share in the estate of the non-resident decedent wherever situated, before allowable beneficiary deductions are made.

"Sec. 15. In the event a resident of this State dies, leaving any estate subject to an inheritance tax, situated partly within and partly without this State, the inheritance tax imposed upon the share of any beneficiary of said estate situated in Texas shall be

a tax which shall bear the same ratio to the amount such tax would be if his entire share and interest were situated in Texas, as the total value of his share in said estate located in Texas, before allowable beneficiary deductions, bears to the total value of such beneficiary's share in such decedent's estate, wherever situated, before allowable beneficiary deductions are made.

"Sec. 16. (a) No safe deposit company, trust company, corporation, bank, or other institution, person or persons, having in possession or under control securities, deposits, or other assets belonging to a decedent who was a resident or non-resident, or belonging to such a decedent and one or more persons, shall deliver the same to the executors, administrators, heirs, or legal representatives of said decedent, or to the survivor or survivors when held in the joint names of a decedent and one or more other persons, or upon their order or request, unless notice of the time and place of such intended delivery or transfer be served upon the Comptroller at least ten days prior to said delivery or transfer, and delivery to be made only in the presence of the Comptroller or his duly authorized agent, who may be the county judge of the county in which said transfer transpires, unless the Comptroller, in writing, consents to the transfer without his presence. And it shall be lawful for the said Comptroller or his representative to examine all of said securities, deposits, or assets at the time of such delivery or transfer. Failure to serve such notice or failure to allow such examination shall render such safe deposit company, trust company, corporation, bank, or other institution, person or persons liable to the payment of the amount of the tax or interest due or thereafter to become due upon said securities, deposits, or other assets delivered or transferred, and in addition thereto, a penalty of not less than one thousand or more than five thousand dollars; and the payment of such tax and interest thereon, or the penalty above prescribed, or both, may be enforced in an action brought by the Comptroller in any court of competent jurisdiction.

"(b) When it is made to appear to a county judge in this State that a safe deposit company, trust company, bank, person, or corporation has in its

possession, or under its control, papers of a decedent of whose estate such court has jurisdiction, or that the decedent had leased from such a corporation a safe deposit box, and that such papers or such a safe deposit box may contain a will of the decedent, or a deed to a burial plot in which the decedent is to be interred, or a policy of insurance issued in the name of the decedent and payable to a named beneficiary, he may make an order directing such deposit company, trust company, bank, person, or corporation to permit a person named in the order to examine such papers or safe deposit box in the presence of himself, or his duly authorized representative, or a representative of the Comptroller, and an officer of such safe deposit company, trust company, bank, or corporation, or agent of such person, and if such documents are found among such papers, or in such box, to deliver said will to the clerk of the probate court of such county or said deed to such persons as may be designated in such order, or said policy of insurance to the beneficiary named therein. The clerk of said court shall furnish a receipt upon the delivery of the will to him.

"Sec. 17. That Article 7142, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as to read, as follows:

"'Tax Collector's Fees. The collector of taxes of each county shall, on or before the fifteenth day of each month, transmit to the State Treasurer at Austin, Texas, all taxes received before the first day of the month by him under the provisions of law relating to the assessment and collection of inheritance taxes, deducting therefrom all lawful disbursements made by him under the law, and also his compensation at the rate of one dollar (\$1) for each estate on which he collected the inheritance tax.'

"Sec. 18. That Article 7140, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, repealed.

"Sec. 19. That Article 7141, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as to hereafter read, as follows:

"'Attorney's Fees. For the services performed under the provisions of this Chapter, the county judge shall be allowed 2 per cent of the taxes collected, not to exceed \$30 in any one estate. If suit be brought, the county or district attorney prosecuting same shall receive as compensation therefor 5 per cent on the amount of taxes payable hereunder, not to exceed in any one case the sum of \$200, which fee shall be added to and collected from said estate, in addition to the taxes and penalties herein provided for, and such compensation shall be, in addition to all other fees and compensation provided by this law. The aggregate of fees received under this law shall not exceed in any one year \$2,000, and any fees earned in addition to said sum shall be considered a portion of the tax and penalties collected, and be distributed in the same manner.'

"Sec. 20. To amend Article 7122, of the Revised Civil Statutes of 1925, as amended by House Bill No. 741 of the Regular Session of the Forty-second Legislature, so as to hereafter read, as follows:

"'Article 7122. Class E—Foreign Bequest. If passing to or for the use of the United States, to or for the use of any other person, or religious, educational, or charitable organization or institution, or to any other person, corporation, or association not included in any of the classes mentioned in the preceding portions of the original Act, known as Chapter 29, of the General Laws of the Second Called Session of the Thirty-eighth Legislature, the tax shall be:

"'5% on any value in excess of \$500 and not exceeding \$10,000;

"'6% on any value in excess of \$10,000 and not exceeding \$25,000;

"'8% on any value in excess of \$25,000 and not exceeding \$50,000;

"'10% on any value in excess of \$50,000 and not exceeding \$100,000;

"'12% on any value in excess of \$100,000 and not exceeding \$500,000;

"'15% on any value in excess of \$500,000 and not exceeding \$1,000,000;

"'20% on any value in excess of \$1,000,000.'

"Provided, however, that this Article shall not apply on property passing to or for the use of the United States, or any religious, educational, or chari-

table organization when such bequest, devise, or gift is to be used within this State.

"Sec. 21. All laws and parts of laws in conflict with any of the provisions of this Act are hereby repealed, and if any provision of this Act shall be held unconstitutional and void, such holding shall not affect any other provision not held void, but all provisions not so held to be invalid shall continue in full force and effect.

"Sec. 22. That by reason of the fact that our present inheritance tax laws are incoherent and in many ways ineffective, and the further fact that the Federal Government allows as a credit on the Federal estate tax of an amount paid to the various States, not to exceed eighty per cent (80%) of the amount of the tax payable to the Federal Government, to be allowed as a credit to the taxpaying estate, and that under our present law such provision cannot now be taken advantage of; and for the further fact that other provisions of the inheritance tax law provided for herein will enable the Comptroller to better determine the true value of the property of the estate subject to inheritance taxes; all of which create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read in each House, on three separate days, be suspended, and said rule is hereby suspended, and this Act shall take effect immediately and be in force from and after its passage, and it is so enacted."

REED of Bowie,
HARTZOG,
BARRON.

The amendment was adopted.

The amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 412 was then passed to third reading.

SENATE BILL NO. 412 ON THIRD READING

Mr. Van Zandt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kayton.
of Bexar.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Barrett.	Leonard.
Barron.	Mackay.
Beck.	Magee.
Bedford.	Mathis.
Bourne.	McCullough.
Bradley.	McDougald.
Burns.	McGregor.
Camp.	Merritt.
Canon.	Moffett.
Chastain.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Coombes.	Palmer.
Cowley.	Parkhouse.
Crossley.	Pavlica.
Daniel.	Puryear.
Davidson.	Ratliff.
Dean.	Ray.
Devall.	Reed of Bowie.
Dunlap.	Reed of Dallas.
Dunagan.	Renfro.
Dwyer.	Riddle.
Engelhard.	Roberts.
Fain.	Rogers of Hunt.
Few.	Rogers
Fuchs.	of Ochiltree.
Glass.	Ross.
Golson.	Russell.
Goodman.	Scarborough.
Greathouse.	Shannon.
Griffith.	Shults.
Hankamer.	Smith.
Harman.	Stanfield.
Harris.	Steward.
Harrison.	Stinson.
Hartzog.	Stovall.
Head.	Sullivan.
Hester.	Tarwater.
Hill of Brazoria.	Tennyson.
Hodges.	Thomas.
Holekamp.	Townsend.
Holland.	Turlington.
Hoskins.	Van Zandt.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hyder.	Walker.
James.	Weinert.
Jefferson.	Wood.
Jones of Atascosa.	Young.

Nays—12

Ford.	Mitcham.
Good.	Pope.
Hunt.	Rollins.
Laird.	Scott.
Long.	Tillery.
Lotief.	Winningham.

Absent

Butler.	Lindsey.
Cathey.	McClain.
Caven.	McKee.
Celaya.	Metcalfe.
Duvall.	Moore.
Graves.	Nicholson.
Hicks.	Patterson.
Jackson.	Ramsey.
Johnson	Savage.
of Anderson.	Wells.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 412 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—98

Alexander.	Harrison.
Alsup.	Hartzog.
Anderson	Head.
of Bexar.	Hester.
Baker.	Hill of Brazoria.
Barron.	Hodges.
Beck.	Holekamp.
Bedford.	Holland.
Bourne.	Huddleston.
Bradley.	Hughes.
Burns.	Hyder.
Camp.	James.
Canon.	Jefferson.
Chastain.	Jones of Runnels.
Clayton.	Jones of Shelby.
Colson.	Kayton.
Cowley.	Kyle of Hays.
Crossley.	Kyle of Palo Pinto.
Daniel.	Leonard.
Davidson.	Lotief.
Dean.	Mackay.
Devall.	Magee.
Dunlap.	Mathis.
Dwyer.	McDougald.
Engelhard.	McGregor.
Fain.	Merritt.
Few.	Moffett.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Pavlica.
Hankamer.	Puryear.
Harman.	Ray.
Harris.	Reed of Bowie.

Reed of Dallas.	Stinson.
Renfro.	Stovall.
Riddle.	Sullivant.
Roberts.	Tarwater.
Rogers of Hunt.	Tennyson.
Rogers	Thomas.
of Ochiltree.	Townsend.
Ross.	Turlington.
Russell.	Van Zandt.
Scarborough.	Vaughan.
Shannon.	Wagstaff.
Shults.	Weinert.
Smith.	Wood.
Steward.	Young.

Nays—17

Barrett.	Pope.
Coombes.	Ratliff.
Dunagan.	Rollins.
Ford.	Scott.
Good.	Stanfield.
Hunt.	Tillery.
Laird.	Walker.
Long.	Winningham.
Mitcham.	

Absent

Butler.	Lindsey.
Cathey.	McClain.
Caven.	McCullough.
Celaya.	McKee.
Duvall.	Metcalfe.
Graves.	Moore.
Hicks.	Nicholson.
Hoskins.	Patterson.
Jackson.	Ramsey.
Johnson	Savage.
of Dimmit.	Wells.
Jones of Atascosa.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Anderson.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 500 by the following vote: Yeas, 27; nays, 1.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL
NO. 898

Mr. Mathis moved to reconsider the vote by which House Bill No. 898 failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

Mr. Mathis gave notice that he would, on tomorrow, call up the motion to reconsider.

SENATE BILL NO. 527 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 527, A bill to be entitled "An Act amending Senate Bill No. 512, passed at the Regular Session of the Forty-second Legislature, 1931; providing for changing and prescribing times of holding court in the Eighty-fourth Judicial District of Texas; validating and containing all processes and writs, bonds, and recognizances, and making them returnable to the terms of court in the several counties in said District as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provision relative to any term of court that may be in session when this Act takes effect; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 527 ON THIRD
READING

Mr. Stanfield and Mr. Rogers of Ochiltree moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Alexander.	Burns.
Alsup.	Camp.
Anderson	Canon.
of Bexar.	Chastain.
Baker.	Clayton.
Barrett.	Colson.
Beck.	Coombes.
Bourne.	Cowley.
Bradley.	Crossley.

Daniel.	McDougald.
Davidson.	Merritt.
Devall.	Mitcham.
Dunagan.	Moffett.
Dwyer.	Morrison.
Engelhard.	Morse.
Fain.	Munson.
Few.	Palmer.
Ford.	Parkhouse.
Fuchs.	Pavlica.
Glass.	Puryear.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Riddle.
Harman.	Roberts.
Harris.	Rogers of Hunt.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hester.	Ross.
Hill of Brazoria.	Scott.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Smith.
Hoskins.	Stanfield.
Huddleston.	Steward.
Hughes.	Stinson.
Hunt.	Stovall.
Hyder.	Sullivant.
Jackson.	Tarwater.
James.	Tennyson.
Jefferson.	Thomas.
Jones of Runnels.	Townsend.
Jones of Shelby.	Turlington.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Lotief.	Winningham.
Mackay.	Wood.
Magee.	Young.
McCullough.	

Absent

Barron.	Mathis.
Bedford.	McClain.
Butler.	McGregor.
Cathey.	McKee.
Caven.	Metcalfe.
Celaya.	Moore.
Dean.	Nicholson.
Dunlap.	Patterson.
Duvall.	Pope.
Graves.	Ramsey.
Hicks.	Russell.
Johnson	Savage.
of Anderson.	Scarborough.
Jones of Atascosa.	Tillery.
Kayton.	Wells.
Leonard.	

Absent—Excused

Adamson.	Aikin.
----------	--------

Anderson	Holloway.
of Johnson.	Johnson
Calvert.	of Dimmit.
Fisher.	Latham.
Haag.	Lemens.
Hill of Webb.	Reader.

The Speaker then laid Senate Bill No. 527 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Alexander.	Jefferson.
Alsop.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Bexar.	Jones of Shelby.
Baker.	Kyle of Hays.
Barrett.	Kyle of Palo Pinto.
Beck.	Laird.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Long.
Camp.	Lotief.
Canon.	Mackay.
Chastain.	Magee.
Clayton.	McCullough.
Colson.	McDougald.
Coombes.	McGregor.
Cowley.	Merritt.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Munson.
Dunagan.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Pavlica.
Fain.	Pope.
Few.	Puryear.
Ford.	Ramsey.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Renfro.
Greathouse.	Riddle.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rogers
Harris.	of Ochiltree.
Hartzog.	Rollins.
Head.	Ross.
Hester.	Russell.
Hill of Brazoria.	Scarborough.
Hodges.	Scott.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hughes.	Steward.
Hunt.	Stinson.
Hyder.	Stovall.
Jackson.	Sullivant.
James.	Tarwater.

Tennyson.	Wagstaff.
Thomas.	Walker.
Townsend.	Weinert.
Turlington.	Winningham.
Van Zandt.	Wood.
Vaughan.	Young.

Absent

Barron.	Kayton.
Bedford.	Mathis.
Butler.	McClain.
Cathey.	McKee.
Caven.	Metcalfe.
Celaya.	Moore.
Dunlap.	Nicholson.
Duvall.	Patterson.
Graves.	Savage.
Harrison.	Tillery.
Hicks.	Wells.
Johnson of Anderson.	

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson of Johnson.	Johnson of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

NOTICES GIVEN

Mr. Pope gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 95, which bill had heretofore been laid on the table subject to call.

Mr. Bradley gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 100, which bill had heretofore been laid on the table subject to call.

Mr. McGregor gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 574, which bill had heretofore been laid on the table subject to call.

Mr. Anderson of Bexar gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 373, which bill had heretofore been laid on the table subject to call.

SENATE BILL NO. 185 ON SECOND READING

On motion of Mr. Russell, the regular order of business was suspended,

to take up, and have placed on its second reading and passage to third reading,

S. B. No. 185, Relative to local mutual aid associations.

The Speaker laid the bill before the House, and it was read second time.

Mr. Puryear offered the following amendment to the bill:

Amend Senate Bill No. 185, page 2, line 37, by striking out one dollar (\$1) and inserting in lieu thereof two dollars (\$2).

On motion of Mr. Leonard, the amendment was tabled.

Senate Bill No. 185 was then passed to third reading.

SENATE BILL NO. 185 ON THIRD READING

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Alexander.	Hankamer.
Alsup.	Harman.
Anderson	Harris.
of Bexar.	Head.
Baker.	Hester.
Barrett.	Hill of Brazoria.
Barron.	Hodges.
Beck.	Holland.
Bourne.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Camp.	Hunt.
Canon.	Hyder.
Cathey.	Jackson.
Clayton.	James.
Colson.	Jones of Atascosa.
Coombes.	Jones of Runnels.
Cowley.	Jones of Shelby.
Crossley.	Kayton.
Davidson.	Kyle of Hays.
Dean.	Kyle of Palo Pinto.
Devall.	Laird.
Dunagan.	Leonard.
Dwyer.	Lindsey.
Engelhard.	Lotief.
Ford.	Mackay.
Fuchs.	Magee.
Glass.	McClain.
Golson.	McDougald.
Good.	Merritt.
Goodman.	Mitcham.
Greathouse.	Moffett.
Griffith.	Morrison.

Morse.	Scott.
Munson.	Shannon.
Palmer.	Shults.
Parkhouse.	Smith.
Pavlica.	Stanfield.
Pope.	Steward.
Ratliff.	Stinson.
Ray.	Sullivan.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Tennyson.
Renfro.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Van Zandt.
Rogers	Vaughan.
of Ochiltree.	Wagstaff.
Rollins.	Walker.
Ross.	Winningham.
Russell.	Wood.
Scarborough.	Young.

Nays—4

Chastain.	Puryear.
Fain.	Stovall.

Absent

Bedford.	Long.
Butler.	Mathis.
Caven.	McCullough.
Celaya.	McGregor.
Daniel.	McKee.
Dunlap.	Metcalfe.
Duvall.	Moore.
Few.	Nicholson.
Graves.	Patterson.
Harrison.	Ramsey.
Hartzog.	Riddle.
Hicks.	Savage.
Holekamp.	Thomas.
Jefferson.	Tillery.
Johnson	Weinert.
of Anderson.	Wells.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

The Speaker then laid Senate Bill No. 185 before the House on its third reading and final passage.

The bill was read third time.

Mr. Puryear offered an amendment to the bill, which, on motion of Mr. Alsup, was tabled.

Mr. Stinson offered the following amendment to the bill:

Amend Senate Bill No. 185, Section 1, page 2, line 40, by adding after the

word "bond," the following: "Conditioned as hereinabove provided."

The amendment was adopted.

Senate Bill No. 185 was then passed by the following vote:

Yeas—101

Alexander.	Laird.
Alsup.	Leonard.
Anderson	Lindsey.
of Bexar.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Barron.	McDougald.
Beck.	McGregor.
Bourne.	Merritt.
Bradley.	Mitcham.
Burns.	Moffett.
Camp.	Morrison.
Canon.	Morse.
Chastain.	Munson.
Clayton.	Palmer.
Colson.	Parkhouse.
Coombes.	Pavlica.
Cowley.	Pope.
Crossley.	Ratliff.
Dean.	Ray.
Devall.	Reed of Bowie.
Dunlap.	Reed of Dallas.
Dunagan.	Renfro.
Dwyer.	Riddle.
Engelhard.	Roberts.
Few.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Rollins.
Golson.	Ross.
Good.	Russell.
Goodman.	Scarborough.
Greathouse.	Scott.
Griffith.	Shannon.
Hankamer.	Shults.
Harman.	Smith.
Head.	Stanfield.
Hill of Brazoria.	Steward.
Holekamp.	Stinson.
Holland.	Tarwater.
Hoskins.	Tennyson.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Winningham.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—4

Fain.	McCullough.
Harris.	Stovall.

Absent

Bedford.	Johnson
Butler.	of Anderson.
Cathey.	Long.
Caven.	Mathis.
Celaya.	McClain.
Daniel.	McKee.
Davidson.	Metcalfe.
Duvall.	Moore.
Graves.	Nicholson.
Harrison.	Patterson.
Hartzog.	Puryear.
Hester.	Ramsey.
Hicks.	Savage.
Hodges.	Sullivant.
Huddleston.	Thomas.
Jefferson.	Weinert.
	Wells.

Absent—Excused

Adamson.	Hill of Webb.
Aikin.	Holloway.
Anderson	Johnson
of Johnson.	of Dimmit.
Calvert.	Latham.
Fisher.	Lemens.
Haag.	Reader.

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 414, to the Committee on Appropriations.

Senate Bill No. 479, to the Committee on Appropriations.

Senate Bill No. 542, to the Committee on School Districts.

Senate Bill No. 546, to the Committee on Conservation and Reclamation.

Senate Bill No. 564, to the Committee on Counties.

Senate Bill No. 478, to the Committee on Counties.

Senate Bill No. 485, to the Committee on Judiciary.

Senate Bill No. 28, to the Committee on Judiciary.

ADJOURNMENT

Mr. Parkhouse moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Holland moved that the House recess to 7:30 o'clock p. m., today.

The motion of Mr. Parkhouse prevailed, and the House, accordingly, at 6:20 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

REPORT OF THE COMMITTEE ON
ENGROSSED BILLS

Committee Room,

Austin, Texas, May 17, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 672, A bill to be entitled "An Act amending Chapter 17, House Bill No. 122, of the Acts of the First Called Session of the Fortieth Legislature by changing and redefining the term 'loan broker,' and by re-enacting the remaining portion of the said Act, except the changing of the words 'household and kitchen furniture' to 'personal property,' and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

REPORT OF THE COMMITTEE ON
ENROLLED BILLS

Committee Room,

Austin, Texas, May 18, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 926, "An Act providing for open seasons for the taking and killing of squirrels in Kaufman County, during the months of May, June, July, October, November, and December of each year; providing the penalty for violation of said Act; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.